



Posted: Friday, April 06, 2018

NOTICE AND CALL OF A REGULAR MEETING OF THE TRINIDAD CITY COUNCIL

The Trinidad City Council will hold a regular meeting on
WEDNESDAY, APRIL 11, 2018, at 6:00 PM
In the Trinidad Town Hall, 409 Trinity Street, Trinidad, CA

CLOSED SESSION BEGINS AT 5:00PM

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM
- IV. ADJOURN TO CLOSED SESSION
 1. Public Employee Performance Evaluation and Contract Negotiations for City Manager Pursuant to Government Code Section 54957
- V. RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT (6PM)
- VI. APPROVAL OF AGENDA
- VII. APPROVAL OF MINUTES – 11-15-18 scc, 11-29-18 scc, 03-14-18 cc, 03-28-18 cc2
- VIII. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS
- IX. STAFF REPORTS
- X. ITEMS FROM THE FLOOR: *At this time, members of the public may comment on items NOT appearing on the agenda. Individual comments will be limited to 3 minutes or less. Comments should be directed to the Council as a whole and not to individual Council Members or staff. Council and staff responses will be minimal for non-agenda items.*
- XI. CONSENT AGENDA: *All matters on the Consent Agenda are considered routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is requested by any Council member, that item is removed from the Consent Calendar and considered separately. A single opportunity for public comment on the Consent Agenda is available to the public.*
 1. Staff Activity Report March 2018
 2. Financial Statements February 2018
 3. Law Enforcement Report March 2018
 4. Approve Contract with Streamline Planning for Stormwater Project Environmental Permitting
 5. Approve Contract with Streamline Planning for Local Coastal Program Update
 6. View Restoration on Van Wycke St.
- XII. DISCUSSION/ACTION AGENDA ITEMS
 1. Discussion regarding Trinidad Head Cell Tower Lease
 2. Discussion regarding Community TOT Allocations
 3. Discussion regarding Draft STR Committee Charter
 4. Discussion regarding Trail Committee Vacancy Appointment
- XIII. FUTURE AGENDA ITEMS
- XIV. ADJOURNMENT

APPROVAL OF MINUTES FOR:

NOVEMBER 15, 2017, SCC
NOVEMBER 29, 2017, SCC
MARCH 14, 2018 CC
MARCH 28, 2018 CC2

Supporting Documentation follows with: 12 PAGES

Minutes for the following dates still pending:

- 10-30-17 scc closed

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, NOVEMBER 15, 2017

I. CALL TO ORDER

- Mayor Rotwein called the meeting to order at 5:30pm. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein.
- City Staff in attendance: City Manager Dan Berman.

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council:

- Individual comments will be limited to 3 minutes or less.
- Comments should be directed to the Council as a whole and not directed to individual Council Members.

Richard Johnson – Trinidad Area Resident

The job is tough. The priorities change daily, combined with fast deadlines. The City Manager has no backup, and the small staff is limiting. We all have a part to play in this, and Berman is the point man. We need to figure out a way to help him become successful. We're asking him to do a very difficult job. We need a gate-keeper – a person, or software, that can take in complaints, requests, etc. – and manage the flow of work. This should be an evaluation of process implementation, not a person. A paradigm shift in thinking. I offer to help set up what I think will be a gate-keeper, and offer periodic reviews.

Dorothy Cox – Trinidad

Provided examples of complaints and information requests that have not been responded to by the City Manager. Wants office hours posted on the door. Serious concerns with lack of responses and availability.

IV. ADJOURN TO CLOSED SESSION

1. Public Employee Performance Evaluation for City Manager Pursuant to Government Code Section 54957

V. RECONVENE TO OPEN SESSION – No report out. Review continued to a future meeting.

VII. ITEMS FROM THE FLOOR – No items from the floor were presented.

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

XI. ADJOURNMENT

Meeting adjourned at 6:00pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Susan Rotwein
Mayor

MINUTES OF THE SPECIAL MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, NOVEMBER 29, 2017

I. CALL TO ORDER

- Mayor Rotwein called the meeting to order at 4:00pm. Council members in attendance: West, Ladwig, Miller, Baker, Rotwein.
- City Staff in attendance: City Manager Dan Berman.

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEM

At this time, members of the public may only comment on an item appearing on the agenda. Please adhere to the following when addressing the Council:

- Individual comments will be limited to 3 minutes or less.
- Comments should be directed to the Council as a whole and not directed to individual Council Members.

Alan Grau – Trinidad

City Manager doesn't support the residents. He doesn't understand their concerns. Responses are lacking. He supports the tourists. They pay his salary.

Dorothy Cox – Trinidad

Small problems become big problems. I asked for public records related to STR applications in October. No responses from Berman. City Clerk stated he mailed a response, certified mail. Some Staff members aren't pulling their weight, causing tremendous workloads on others.

IV. ADJOURN TO CLOSED SESSION

1. Public Employee Performance Evaluation for City Manager Pursuant to Government Code Section 54957

V. RECONVENE TO OPEN SESSION – *Report will be announced at next regular meeting.*

VI. ITEMS FROM THE FLOOR – *No items from the floor were presented.*

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

VII. CONSENT AGENDA – *None*

VIII. DISCUSSION/ACTION AGENDA ITEMS

1. Consider extension of City Manager contract from December 09, 2017 – December 13, 2017.
By consensus, the Council agreed to extend the contract period for 4-days, until the next regular meeting to continue the discussion.

IX. ADJOURNMENT

Meeting adjourned at 5:30pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Susan Rotwein
Mayor

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, MARCH 14, 2018

I. CALL TO ORDER

Mayor Rotwein called the meeting to order at 6:00 pm. Council members in attendance: West, Ladwig, Rotwein, Miller, Baker. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION – *No closed session.*

IV. CLOSED SESSION REPORT – *No closed session to report on.*

V. APPROVAL OF AGENDA

Motion (Miller/West) to approve the agenda as written. Passed unanimously.

VI. APPROVAL OF MINUTES – 02-13-18 scc, 02-15-18 cc2, 02-28-18 scc

Motion (Baker/West) to approve the 02-13-18 minutes as corrected. Passed unanimously.

Motion (Ladwig/Miller) to approve the 02-15-18 minutes as written. Passed unanimously.

Motion (West/Ladwig) to approve the 02-28-18 minutes as written. Passed unanimously.

VII. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS

West: Nothing to report.

Baker: Nothing to report.

Miller: RCEA – Wind energy update. CCONM Gateway update.

Rotwein: Report on Government-to-Government meetings with the Trinidad Rancheria, discussing the Galindo Trail and Tsunami siren. Trails Committee looking to replace resident Jonna Kitchen who had to resign due to scheduling conflicts.

Ladwig: Nothing to report.

VIII. STAFF REPORTS

City Manager Berman's written staff report was included in the packet. Various highlights included 1) Second meeting in March will include a proposal from Verizon asking the City to consider an extension of the cell facility lease on Trinidad Head. 2) Met with representatives from AT&T looking for feasible sites in town for cellular sites. 3) Management Team meeting schedule update. 4) HSU is requesting Planning Commission consideration to remove the cypress tree in front of their facility on Ewing Street. 5) Thanked TPW DeSmet and Rosenblatt for filling in for Director Buckman who has been out on medical leave. 6) OWTS update.

Mayor Rotwein requested City Manager follow-up on 1) Auditor recommendations, 2) HCSO full-time addition with Measure Z funds, 3) HCSO schedule, 4) Resolving title issues at the water treatment plant, 5) facilities maintenance budget, 6) ADA push button door status at Town Hall, 7) MS4 Permit update.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Taylor LeBlanc – McKinleyville High School Prom Parent Volunteer

Thanked the Council and City Staff for considering McKinleyville High Schools request to rent the Town Hall to host the 2018 Prom in May. Introduced students that came with her tonight, explained their connection to Trinidad and why they selected this venue. Also explained safety procedures and protocols in place to conduct the event in a positive way. Requested that the Council consider extending the curfew till midnight at a future meeting to allow the Prom Committee to explain the reasons why its' preferred.

Bert Kilborne – Trinidad

178 Parker Creek resident. Live-in caretaker at 178 Parker Creek Drive. Explained the procedures implemented to reduce impacts to the neighborhood and continue to improve communication with neighbors.

Jim Cuthbertson – Trinidad

Does the Council still take regular ethics training? Thanked Council for the new push-button access.

Mareva Russo – Trinidad

Hold firm and ask Verizon to vacate the Trinidad Head cellular site when their lease is up.

Patti Fleschner – Trinidad

Pleased to announce that the Civic Club voted to make the Trinidad Rancheria site at the Harbor the permanent home of the Memorial Lighthouse. Thanked the public for attending their brainstorming meeting, and also thanked the Council, the Rancheria, and fellow Club member Jan West for putting in countless hours of time and effort to coordinate this effort.

Dorothy Cox – Trinidad

I have not seen the minutes for the 10/30/17, 11/15/17, and 11/29/17 closed session meetings yet. Also, the STR contact list is also missing online. The new website looks nice, but it needs a lot of work.

Richard Johnson – Trinidad Area Resident

The Caltrans website showed downtown Trinidad listed with potential projects that qualified for STIP construction projects. Did I miss something? Was there any public discussion about this? **City Manager Berman** explained that the project proposed various ADA improvements along Main & Trinity Streets. Johnson also noted that the streetlights at the Park/Library have been out and makes the area dark and dangerous at night.

Leslie Farrar – Trinidad

I appreciate the Q&A format. I think the public needs a format like this to dialog with the Council. We feel we are never heard and would like to be able to ask questions and get answers about a variety of things going on in the city. I do not support Verizon extending lease on Trinidad Head.

Adora King – Trinidad

I would like to see the activity report for the Police Department, but also the log sheets. I'm concerned with all the agency assists that occur outside the City limits. I've been back since September and haven't seen any cops on my street.

X. CONSENT AGENDA

1. Staff Activity Report February 2018
2. Law Enforcement Report February 2018
3. Financial Statements January 2018
4. Encroachment Permit Application for Right-of-Way improvements at 674 Underwood Dr.

*Motion (Miller/West) to approve the consent agenda as submitted. **Passed unanimously.***

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Consider Report and Recommendations from the Ad-Hoc STR Committee
City Manager Berman explained that Councilmembers West and Baker have been serving as an ad-hoc STR Committee over the past year to work with interested community members and staff to review STR Ordinance implementation and make suggestions. They have produced a pair of reports summarizing their conclusions and recommendations that are included in this meetings packet for review. Most of their recommendations can be implemented by Staff without any Council action. However some recommendations could require future Council direction and lead to future amendments to the current STR Ordinance.

Berman outlined and highlighted some facts gathered since the new ordinance was implemented in June:

- Three homes have lost their licenses due to property sales this year.
- The new ordinance decreases total occupants and vehicles allowed in town.
- The new ordinance strengthened the consequences associated with violating it.
- Only 3 homes were issued parking exceptions.
- The quality of applications submitted was better than previous years.
- The meet & greet component has proven to be challenging to implement and enforce.

Council report included:

West explained that he and Baker volunteered to work on this project last year. We met with community members, and set out to improve how the ordinance is implemented. Our outreach uncovered a few priority

problem areas based on feedback gained from certain residents. We focused on 1) Parking exceptions, 2) Septic status, 3) Signage, 4) Application materials submitted, 5) Meet & Greet, 6) Complaint response, and 7) Enforcement.

The following conclusions were reached:

- The City should create an STR Quarterly Review Committee to gather feedback related to the vacation rental (STR) industry operating in the City.
- The Committee should include (1) Council member, (2) Residents, (2) STR industry reps (owner or manager).
- The Committee should hold a public meeting annually (following the busy season) to discuss STR related topics/issues/successes.

Baker explained that he was able to review both the 2016-2017 applications and the 2017-2018 renewals. He focused on certain issues and recommendations:

- Complaint procedures must be streamlined and improved.
- Violation notices should be made right away and public hearings held as soon as possible.
- We support the need and purpose of the Meet & Greet policy.
- We encourage mediation be considered when possible.

Public comment included:

Alan Grau – Trinidad

Asked why Rotwein and Ladwig aren't recusing themselves from this hearing? There is a perceived bias. Requested the Council honor and enforce the ordinance as written. He read emails from the City Planner and Manager regarding water use, parking exceptions, and suspected accessory dwelling kitchens. He accused City Staff of diluting the Meet & Greet policy, and not including many complaints in his report.

Ladwig explained that he understood this item to be a report to receive feedback, and as Councilmember it was his duty to listen. **Rotwein** stated that she discussed this with City Attorney Stunich who explained the difference between STR hearings designed to listen to and gather information, as compared to discussions that result in policy changing decisions. Stunich advised that tonight's discussion was essentially a listening session and very limited in scope.

Jonna Kitchen – Trinidad resident, Trinidad Retreats owner

I'm disappointed that the committee didn't contact any vacation rental managers as they conducted their research. They only heard from the most vocal STR critics. Out of 1109 nights booked last year, there were NO complaints. Statistically this is very insignificant. Complaints continue to be over-emphasized. Regarding the Meet & Greet policy, the ordinance states that we should meet the occupant. It doesn't say when this needs to occur, and we need the latitude to make this happen. Property managers are doing a good job. Guests agree to the City's rules 5 times prior to arrival. This is excessive and redundant. We feel that making the City Manager the judge and jury is problematic, and we like the idea of improving this issue somehow.

Patti Fleschner – Trinidad

The Meet & Greet seems onerous. Anyone who's waited for visiting family or friends can attest to how many variables can delay a scheduled arrival time. Regarding accessory living units, they add variety and interest to the community.

Jim Cuthbertson – Trinidad

If all properties were ran like the ones I have next door, there would be no problems.

Leslie Farrar – Trinidad

1) Second units aren't used for college students, 2) Meet & Greet was intended to be helpful, 3) Thanked Baker and West for their research and work on this, 4) If the ordinance was enforced there wouldn't be issues, 5) residents are disenfranchised, and 6) it's unfortunate that vacation rentals exist in our town.

Adora King – Trinidad

Thanked the committee for their work. Second units were discussed by the Planning Commission but were dropped at the Council level. As soon as the Meet & Greet is over, anything can change. One of the property managers said the City Manager told her she didn't have to do them. Why can't the Sheriff enforce the STR laws? I don't believe that detached bedroom residents use kitchens in the main houses. Could someone give me an answer regarding the Oct/November complaint I submitted against 375 Wagner Street?

Dorothy Cox – Trinidad

Thanked Baker and West for their work and response. I have reviewed the ordinance and have many questions and suggestions on areas that need improvement. Ocean Avenue has improved with parking and home ownership changes, but there's still work to be done. Concerned with application materials submitted for an STR with a detached living space, and another with designated parking spaces identified in leach field areas.

Richard Johnson – Trinidad Area Resident

I support the STR review committee concept. Thanked Baker and West for their work. The Planning Commission intended the Meet & Greet to happen face-to-face. My personal experience with STR's shows that these types of meetings help with public relations and policy expectations. The customer is the community, not the visitor. Happy neighbors with create a much better situation for everyone.

Written communication was received by resident **Kathleen Lake** on behalf of "The Trinidad Community" consisting of 8 Trinidad residents and 1 Arcata resident, criticizing the Council for allowing violations and exceptions to occur, the Staff and Council reports submitted for discussion, and the committee's information gathering process. Also complained about enforcement, dismissed the effectiveness of Council and Staff, and insisted that members of the Council with ties to STR's recuse themselves.

Council comments included:

Baker: We felt our mission was data driven. We did not confer with the STR managers intentionally. We were comparing complaints with what we believed were the issues. This is going in the right direction, but we have to give the ordinance time. I'm looking for administrative support on a future discussion/decision on making the cleared and traveled pathways on Ocean and View Street Alley's 16' wide, giving 2' on each side to the residents for parking. This will help identify whether alley parking spaces identified in STR applications are legitimate or not. Furthermore, I have full faith and confidence in Building Inspector John Roberts. It's our fault if he doesn't have a clear definition of what a kitchen is. He can't make these determinations for us. Given proper direction, he's very capable of making an unbiased decision. **Councilmember Miller** agreed. Finally, regarding legal non-conforming STR's, the Council allowed exceptions for existing STR's that were legally operating prior to the new ordinance taking effect. "Grandfathering" certain places under these circumstances are not favoring or biased, but rather a cautious method of not taking away a right – and potentially avoiding unnecessary legal battles.

Ladwig: Thanked the Council and public for their contributions to this discussion, and suggested that if the Council decides to pursue a future agenda item related to creating an STR committee, it should; 1) modify the STR committee membership to include and Planning Commissioner, not a Councilmember), 2) consider asking them to take a closer look at all the issues/suggestions presented tonight, 3) have their role clearly defined, and 4) determine whether it will be a standing committee, or will meet on an as-needed basis.

By consensus, the Council requested that the City Manager to return to a future meeting with details outlined for the creation of an STR Advisory Committee.

XI. FUTURE AGENDA ITEMS

- T.O.T. gift of public funds?
- AT&T & Verizon Cell Facilities
- Auditor findings
- City Manager Review
- Dog Ordinance, 2nd Reading
- Management Team update
- Lighthouse Resolution
- Alder Trees

XIII. ADJOURNMENT: 8:30 pm

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

Susan Rotwein
Mayor

MINUTES OF THE SECOND REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, MARCH 28, 2018

I. CALL TO ORDER

Mayor Rotwein called the meeting to order at 6:00 pm. Council members in attendance: West, Ladwig, Rotwein, Miller, Baker. City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams.

II. PLEDGE OF ALLEGIANCE

III. CLOSED SESSION

1. Public Employee Performance Evaluation and Contract Negotiations for City Manager Pursuant to Government Code Section 54957.

IV. CLOSED SESSION REPORT

Nothing to report. Evaluation process continued to the next meeting.

V. APPROVAL OF AGENDA

Motion (Miller/West) to approve the agenda as amended, pulling consent #2 for discussion. **Passed unanimously.**

VI. APPROVAL OF MINUTES – No minutes to approve.

VII. COUNCIL MEMBER REPORTS, COMMITTEE ASSIGNMENTS – No reports given.

VIII. STAFF REPORTS - No staff reports given.

IX. ITEMS FROM THE FLOOR

(Three (3) minute limit per Speaker unless Council approves request for extended time.)

Jim Cuthbertson - Trinidad

Concerned with Staff posting meeting notices properly.

Dorothy Cox – Trinidad

The requirements and process for posting meeting notices is unclear.

Charlie Netzow – Trinidad Coastal Land Trust

Upset that the City couldn't tell him who was in charge of a recent ADA correction construction project that took place at the Park/Museum/Library, and that he didn't have the chance to replace the animal tracks that were embedded in the sidewalk section that was replaced.

Written correspondence included:

Kathleen Lake – Trinidad

Letter 1, referencing an article related to STR regulations. Letter 2, commenting on, and not supporting the City Manager evaluation, Town Hall curfew extension agenda item, and Trinidad Head Cellular Facility issue.

X. CONSENT AGENDA

1. Second Reading of Ordinance 2018-01: Amending Section 12.12.030 and 040 of the Trinidad Municipal Code Allowing Leashed Dogs on Trinidad Head.

Motion (Miller/West) to approve Consent Agenda item 1. **Passed unanimously.**

2. View Restoration Request on Van Wycke Street – PULLED FOR DISCUSSION

City Manager Berman explained that this item was discussed on Feb 28th and the Council elected to hold it for thirty days to allow additional time for public comment, especially from Tribal entities. The THPOs of the Trinidad Rancheria and the Yurok Tribe as well as the Secretary of the Tsurai Ancestral Society were emailed the agenda packet on 2/27/18 and invited to comment. No comments have been received until late today when the Tsurai Ancestral Society submitted a letter. Berman explained that two clumps of alder trees growing in the Van Wycke St. right of way are impacting the view of the upslope neighbors. This area is within the City's Views and Vegetation Ordinance. The neighbors have asked the City to address the view impacts, and offered

to pay for the work. The City has requested and received 1) a survey map verifying the location of the trees on the street right of way, 2) a letter from an engineering geologist stating that removal will have no significant impact on bluff stability, and 3) a biological assessment addressing environmentally sensitive habitat. Only trees that are less than 12 inches in diameter are being authorized for removal. The trees are likely to be removed eventually as part of the Van Wycke Trail project.

City staff, in consultation with Coastal Commission staff, have determined that as conditioned, this vegetation work does not constitute 'major vegetation removal' and therefore does not require a Coastal Development Permit. Staff have drafted a letter to the neighboring property owners that would authorize them to go ahead with tree removal and trimming, with specific conditions to minimize impacts. This is within staff's discretionary authority, but given the sensitivity of vegetation management and viewshed protection issues, staff chose to place it on consent to provide the public a chance to comment, and to provide the Council the option to consider the matter further.

Public comment included:

Frankie Myers – Yurok Tribal Historic Preservation Officer

We support the Tsurai Ancestral Society, and would like the opportunity to meet with the City and discuss our concerns. We should be able to meet within 2 weeks as the issue has now been made a priority.

Shirley Laos – Trinidad Rancheria

The Rancheria reviewed this project thoroughly and our THPO Rachel Sundberg sent a letter to the City with comments. All tribal entities should be invited if the City is considering a meeting.

Steve Ruth – Trinidad

It's frustrating to have to hear this again. The Yurok Tribe has had numerous months and opportunities to comment on this. The homeowners proposing this project has completed every study possible to make sure this is done right. Very disappointing.

Stanton Wood – Arcata

Support the Tribe's requests.

Written correspondence included:

Tsurai Ancestral Society

Requested a meeting with the City to discuss the proposal.

Council comments included:

West: I'm in favor of tabling this for 2 weeks to give time for the City to meet with the Tribal representatives.

Miller: We have plenty of information on this to make a decision tonight. I recognize the value of consultation so I will support tabling this for 2 weeks.

*Motion (Ladwig/Miller) to direct the City Manager to meet with the Yurok Tribe and Trinidad Rancheria and discuss this project in a timely fashion to allow the Council to make a final determination at their regular meeting on April 11. **Passed unanimously.***

XI. DISCUSSION/ACTION AGENDA ITEMS

1. Discussion/Decision regarding McKinleyville High School request for Town Hall Curfew Extension

City Manager Berman explained that McKinleyville High School Prom Committee selected the Trinidad Town Hall as their preferred venue for the 2018 Formal Dance to be held on Saturday, May 19, 2018. The event profile meets all the criteria established in the City's policy with regard to the nature of the event, capacity, insurance requirements, and all the rules listed in the Town Hall Rental agreement.

Senior Class Advisor Taylor LeBlanc and a few students attended the Council meeting on March 14 to introduce themselves and to thank the City for hosting their event. She acknowledged that some of the town residents have concerns about traffic and noise issues, and explained the procedures implemented by parent volunteers to ensure the safety and well-being of the students.

LeBlanc noted that as a key measure to the student safety protocol, they prefer (and request) a midnight curfew. Staff does not have the authority to extend the curfew, but the Council may elect to extend it under certain circumstances like this.

The current rental policy for the City states that **"Amplified Music must end at 11:00pm"**, and **"all events must end at 11:30pm"**, and it also makes an exception for New Year's Eve celebrations.

This public hearing will allow the McKinleyville High School representatives the opportunity to make their case to the Council. Staff does not feel this is a precedent setting matter because it's unlikely that any typical event will be able to make public safety a reason for an extended curfew. This is a very unique and appropriate request.

Public comments included:

Taylor LeBlanc – McK High Senior Class Advisor

Gave a brief re-introduction of the purpose of the curfew extension request, and thanked the Council for allowing them the opportunity to do so.

Dorothy Cox – Trinidad

I want the existing curfew enforced. I find it odd that public safety is their excuse for wanting an extended curfew considering that the students can leave anytime at their own will. This is a residential neighborhood and the Council should stick with the current policy. No exceptions.

Council comments included:

Miller: I sympathize with the residents, and don't support the request.

Baker: Why is there an exception for New Year's Eve? This is an opportunity for the School to make a good impression and abide by the current policies. Perhaps in the future – if things change – the City could consider an exception if all goes well this time.

Ladwig: This is not in line with the Town Hall use policy and I can't support the time extension.

West: I support listening to the community and can't support the extension either.

Rotwein: I support the kids and I vote to allow the extension.

Motion (Baker/Rotwein) to extend the curfew to 11:30pm. Motion failed 3-NO, 2-Yes (Rotwein, Baker).

2. Verizon Presentation and Reconsideration of Terminating the Trinidad Head Cellular Communication Lease.
City Manager Berman explained that last May the Council considered what to do with the expiring lease for the cellular communications facility on Trinidad Head. At that time the lessee, Verizon, indicated that it no longer needed the site to provide adequate cellular coverage for the Trinidad Area. AT&T and Sprint, who sublease space at the site from Verizon, stated that their customers would be significantly affected. The Council decided to extend the lease for one year, and to terminate the lease as of September 2018.

Verizon has since contacted the City requesting that the City reconsider terminating the lease. They are now saying that they do not have adequate replacement coverage for the site, and their cellular coverage in the greater Trinidad area will be significantly affected by the site's removal.

Staff have asked Verizon for coverage maps, test results, and other factual data to support their assertion that removal of the site would negatively affect Trinidad area residents. Verizon will be making a presentation at the meeting and have provided a draft of that presentation which is attached to this staff report.

Zoning/Permitting: A new cellular facility could not be permitted on Trinidad Head due to the Open Space zoning and the terms of the land transfer from the federal government. However the existing non-conforming use can be continued indefinitely, including repair, maintenance, and replacement, so long as the degree of non-conformity is not expanded. Staff believe the lease could be modified and extended without new permitting.

Coverage: Staff see loss of cell phone coverage as a significant concern for commerce, safety, and convenience of residents and visitors. Functional cellphone coverage is becoming more and more like a modern (private) utility that people rely on, including many who may no longer have 'landlines' at all. While it is

not the City's responsibility to ensure cellular coverage in the area, this lease issue is a discretionary decision by the City that could result in a significant coverage loss for City and area residents.

Public information about coverage is limited. Staff have requested detailed information prior to the May 2017 meeting and this meeting, and have received limited and largely qualitative information. The attached draft presentation is basically the extent of information provided to date. It seems to show that during a 'test run' last November, turning off the Trinidad Head site had a dramatic effect on coverage for Verizon customers.

Lease Value: The City currently receives a total of about \$26,000 annually for the lease. Staff expect that amount would increase significantly (by a factor of 2 to 4, i.e. \$50K to 100K) under a renegotiated lease, but have not pursued detailed real estate negotiations based on the prior decision to terminate.

City Council Options: The Council has a range of options:

1. Affirm the 2017 decision to terminate the lease in September 2018
2. Consider another short-term extension (1-3 years) to provide additional time for the cellular companies to develop alternative facilities
3. Consider a longer-term renewal of the lease.

If the Council opts to pursue either a short or long-term extension of the lease beyond this September, the next step would be real estate negotiations on the terms of the lease. A draft lease would then return to Council for consideration.

Public comments included:

Jerome Wade & Jacob Lynch – Verizon Representatives

Presented slides that illustrated the performance of the network during the period of time in November 2017 when the Head site was turned down and the alternative sites turned up. Dropped calls, coverage gaps, call attempts, and minutes of use all were affected by a loss of coverage. They also explained that prior to May, simulations were performed that suggested that if lost, the Head coverage could be replicated by adding 2 or more alternate sites. However, the Head site has proven to be superior over any of the alternatives. The hard data received has proven this. Wade further explained that the Humboldt County Sheriff's Department utilizes the Verizon network for cellular and mobile wireless internet.

HCSO Lt. Mike Friedly

Explained that every HCSO patrol vehicle has a mobile computer that runs off the Verizon network. If Verizon's network is weak, our communication between Deputies will also be compromised. We share information with each other over the cell network when we don't want criminals to know where we are, and cell phone GPS signals help locate people when they are lost. Today's cell network is directly related to Public Safety.

Misako Hill – AT&T Representative

The Head site is a superior site for ATT as well. We are co-located on Verizon's facility up there, so if they're in trouble, so are we. We have had no luck replicating this site yet.

John Owens – Sprint Representative.

We're in the same boat as ATT, but if we lose the site with Verizon, all our customers north of McKinleyville will lose coverage completely.

Elaine Weinreb – Trinidad Area

Be highly skeptical of what the corporate reps tell you. I was promised service at my house, but still have none.

Jim Cuthbertson – Trinidad

In early November my wife called 911 via cell phone for me. I was hospitalized for 3 months. I support extending the lease and working with Verizon.

Frankie Meyers – Yurok Tribal HPO

I've heard this pitch before. CALFire and OES gave the same one for the Green Mountain site. There are so many tech advances and these people can figure it out. I'm part of negotiations for alternative sites. Tech consultants don't appreciate the Yurok heritage and the generations of people that were here before them. They are desecrating our sacred sites and continue to oppose us. Do not support Verizon's request. Remove the site. This is the position of the Yurok Tribe.

Steve Ruth – Trinidad

This Council should uphold previous Council's votes to expire the lease and tell Verizon to vacate the site.

Jonna Kitchen – Trinidad

I walk the Head regularly and honestly, I hardly notice the site. I'm a Verizon customer and feel blessed to have the excellent coverage we do while living in a very remote place. This site serves many people, and I encourage to continue the lease until equal coverage alternatives are developed.

Mareva Russo – Trinidad

Gave a brief history of the site and its relationship with the City. This is an opportunity to correct mistakes that were made in the past. Terminate the lease.

Stanton Wood – Arcata

We are on Yurok ancestral land. This is a perpetuation of colonialism. I am a Verizon customer, but want the Head site removed.

Brad Twoomey – Trinidad

Terminate the lease.

Scarlet Ibis – Trinidad

This is a big test of the Ordinance (resolution) that the Council is considering to work hand-in-hand with the local Tribes.

Cyndi Lindgren – Trinidad

This is sacred land. Visitors want to experience the natural beauty. We heard the same pitch from US Cellular in 2006. Terminate the lease.

Written correspondence included:

Gail Kenny – Trinidad

Supports continued use of the Trinidad Head cell site.

Tsurai Ancestral Society

Terminate the lease

Council comments included:

Miller: Thanked Kim Tays for her contributions to this issue. I'm not concerned with the well-being of the cell companies, but I am concerned with the many people have become dependent on their cell phones. I'm concerned for the people that live here and use the cell-network to receive internet and may have given up their land lines. Public safety is a serious concern and no one – not even Verizon engineers – can predict the future. I'm in favor of a 3-year extension at a re-negotiated lease price, and putting pressure on the cell companies to develop alternatives.

Baker: I'd like to hear more from Green Diamond whether they are discussing alternative sites with Verizon before making my decision.

Ladwig: I see no evidence that alternative sites have been explored. The entire community wants the site gone, and I want to see it gone in September 2018.

West: I would like to continue this discussion. I understand that people can use boosters to improve their signal strength, and that there are other alternatives that can be investigated. I don't support a 3-year extension, but possibly 1-year, but would like to hear more first.

Rotwein: This will be a market-driven process. I think the Council should move forward with the decision made last year to decommission the site.

Motion (Rotwein/Ladwig) to affirm the 2017 decision to terminate the lease in September 2018. **Motion failed by the following vote: 3-No, 2-Yes (Ladwig, Rotwein).**

Motion (Baker/West) to table this discussion for 2-weeks to allow the City Manager to contact Green Diamond and confirm whether Verizon has been investigating/negotiating possible alternative sites in the Trinidad area.
Motion passed by the following vote: 3-Yes, 2-No (Ladwig, Rotwein).

XII. FUTURE AGENDA ITEMS – 1) TOT Allocations, 2) Auditor recommendations, 3) CM evaluation process.

XIII. ADJOURNMENT: 8:15 pm

Submitted by:

Gabriel Adams
Trinidad City Clerk

Approved by:

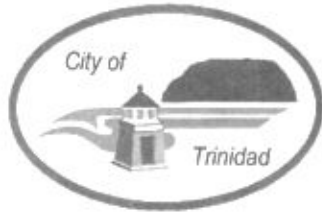
Susan Rotwein
Mayor



CONSENT AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 7 PAGES

1. Staff Activity Report March 2018



*Susan Rotwein, Mayor
Dan Berman, City Manager*

STAFF ACTIVITIES REPORT

For Council Meeting of April 11th 2018

City Administration:

Annual Audit – Complete. The City is currently implementing multiple audit recommendations, including increasing our interest returns by moving funds from our bank to the Local Agency Investment Fund (LAIF).

Trails Advisory Committee- Recommendation re: dogs on Trinidad Head is being implemented. Committee is working on Memorial bench policy.

OWTS Permits - Staff and the City Planner are continuing to implement the plan to issue OWTS operating permits to all septic system owners in the City. Staff is processing all outstanding applications received to date (quadrants 1 & 2), and is following up with owners as necessary. The Planner has drafted operating permits for all quadrant 1 & 2 applications. Staff mailed OWTS operating permit packets to owners without operating permits in the Parker Creek area of town (parts of quadrants 3 & 4). These parcels may be eligible for funding assistance through the Clean Beaches Initiative grant program. The remaining parcels in town without operating permits will be contacted next.

Law Enforcement Service – The Sheriff's Office has assigned Deputy Nate Cumbow as our additional half time deputy position supported with Measure Z funds. He started on January 14th – see the Jan 24th meeting agenda item. Staff have applied for next year's Measure Z grants.

Trinidad Rancheria Efforts to put the Harbor Property in Federal Trust Status. The City requested an update from the Bureau of Indian Affairs and was informed that BIA is still working on responses to the comment letters received. No timetable for next steps was provided, but the City and other commenters are on the notification list for this project.

Trinidad Rancheria Highway 101 Interchange Project

The Rancheria made a presentation about the status of this project at the February 28th City Council meeting.

STR Ordinance

The revised (2016) Ordinance is now in effect. 27 STR licenses have been issued. The UR zone is near its cap (21 licenses, cap of 19). The SR zone is below the cap. The new ordinance has resulted in at least three licenses going away upon property sales, and the

number of guests in the UR zone has come down by 26 due to lower allowed occupancy. Enforcement and administration of the Ordinance is an action discussion item at this (Mar 14th) meeting.

Tsurai Study Area Settlement and Land Transfer.

A draft settlement and land transfer was conditionally approved by Council in December 2016. Additional agreements were deemed necessary because of prior legal settlements involving multiple state agencies. Efforts to resolve this complication and complete the settlement and land transfer are ongoing.

Planning

City Planner Report:

Detached Living Spaces

The Planning Commission has discussed this item at four meetings. It is a complex issue that has a wide variety of implications. Because of that staff suggested narrowing the discussion and addressing the issue in more manageable pieces. Progress was made at the rescheduled March meeting. The Planning Commission decided on a definition of "kitchen," and developed a list of standard conditions of approval to be placed on any future applications for detached living spaces. Staff will write these up as official Planning Commission Policy documents for final approval at the next meeting. The Planning Commission also discussed the possibility of recommending certain administrative rules for consideration by the City Manager as allowed under §17.56.190.Q of the STR ordinance. This will be useful, because all of the complaints regarding detached living spaces also have to do with an STR on the property. Finally, the Planning Commission also discussed enforcement options and an administrative fine ordinance as directed by the Council. This continued discussion will likely result in one or more recommendations for Council consideration.

OWTS Management Program

With a lot of help from Nicole, staff have been making good progress on this item recently. The first step was to reconcile the files to ensure consistency between the City and Streamline offices. This has mostly been completed, but we need to update both sets of files with any new DEH file information that we don't have, and the City needs to get copies of the DEH files Streamline already has. A second round of letters was sent to properties within the Clean Beaches grant area in order to try to get a few more participants in the repair program. And a second round of letters is being prepared to be sent to properties in quadrant 2, which received initial requests to submit OWTS Permit applications in December 2013. About 25% of those property owners submitted incomplete information, and another 20% did not submit anything. The next step will be to start issuing new permits. All the remaining permits for quadrant 1 have been drafted, except for 2 properties that did not submit anything; the City will be following up with those two properties with more formal letters. Once we are to the point of making steady progress on issuing permits, then staff will send letters requesting inspection reports and OWTS applications to the remaining (non-Clean Beaches) properties within quadrants 3

and 4 and continue the process. Once all properties have been issued permits, then we can start asking for renewals on any expired permits.

General Plan Update

We are about a year behind the ambitious schedule presented in the last major update to the Council that was provided in a memo dated January 19, 2017. Since then, City staff did apply for supplemental funding and an extension to the Coastal Commission grant period to complete much of the work. That was approved, and the grant period now runs to October 31, 2018. I am still hopeful that we can meet our grant obligations within that time. The following is an update on the various tasks.

- *Planning Commission Review* – The Planning Commission has reviewed all the draft elements of the General Plan again. That occurred from January 2017 through July 2017. Although the Planning Commission had several special meetings to keep that discussing going, it still took well over the estimated two months.
- *Background Reports and Information* – Staff held two harbor area stakeholder meetings on April 17, 2017 (one during the day and one in the evening). Informal Tribal consultation has not been very fruitful so far, but staff continues to seek input.
- *Update Draft General Plan* – Staff have been working on incorporating the Planning Commission comments into the draft, as well as information from recent background reports such as the one regarding climate change and sea level rise. In addition, comments from the harbor stakeholder meeting have been incorporated. Staff have also been adding to the draft elements where deficiencies were identified after an analysis based on the Coastal Commission's LCP update guidelines. In addition, the State adopted new General Plan Guidelines in 2017, which staff have been reviewing for consistency with the existing draft. Staff have finalized revisions to the Land Use Element, and Conservation and Open Space Element, and are currently working on the Circulation Element and Cultural Resources Element. We have been waiting for updated maps in order to start submitting elements to the Coastal Commission for their staff review, but plan on starting to submit drafts this week regardless of whether all the maps are complete.
- *Zoning Ordinance* – Staff have started drafting zoning ordinance updates to make it consistent with the draft general plan and current Coastal Act requirements.

Cell Towers – See agenda

Memorial Light House – The Memorial Light House and Bell have been successfully moved to a new temporary location at the Trinidad Rancheria Harbor Properties under an Emergency Permit. The Civic Club will be working with the City on a regular 'follow up' permit for this work, including clean up at the former site. The Civic Club, after a community meeting, have decided that the permanent home will be at the Rancheria Harbor Property.

General Plan/LCP Update- Planning Commission has completed review and provided comment on the existing draft Plan chapters. The City Planner is updating the older elements with current information and the Planning Commission's input prior to it going back to them. Staff is working with the Trinidad Rancheria and Yurok Tribe to get their input on the entire general plan and to finalize the draft Cultural Element. The City was

awarded \$51,000 in additional grant funding from the Coastal Commission's LCP Update Grant Program to complete coastal hazards planning and a water supply assessment as well as update the Local Coastal Program Implementation Plan.

Unpermitted Development – The City is working with the Coastal Commission and a Scenic Dr. landowner to resolve problems related to shoreline armoring efforts that were undertaken without permits. Final notices before Nuisance Abatement proceedings have been sent.

View Restoration Permit process for Van Wycke St.

The new owners of the property are working with the neighbors and planning for significant trimming to restore views this summer.

CalFire Water Line Extension

The City has approved the LCP/General Plan amendment process required for this. CalFire will be returning soon with an application to the City (and County) for the CDP and other necessary permits for the physical construction of the water line.

Marine Lab Cypress Tree HSU has provided an arborist report recommending removal of this tree. They are working with State Parks as the underlying landowner. A permit application to the City for removal of the tree is expected soon.

WATER SYSTEM

Install Streamflow Monitoring on Luffenholtz Creek (Water Fund)

This is complete, with flow monitoring being conducted to calibrate the automated monitoring system. The data can be viewed at the following link, soon to be on the City Website: <https://m2x.att.com/dashboards/shared/483d35e70ccd5170cf6646115b13a19d?>

Resolving Title at Water Plant The Water Plant was built on the old County road right of way, and that has never been cleaned up. The County has indicated they are open to helping us resolve this.

Asset Management System –New Asset Management software is configured and installed at the Water Plant, and is already populated with data about many key components and maintenance of the Water Plant. The program is up and running and staff is now using this for the maintenance scheduling and recordkeeping. The next step will be using the water quality module to complete the next round of water quality reporting for the State and the annual Consumer Confidence Report.

Facilities Maintenance Budget – Staff are working to develop a long term facilities maintenance budget for the regular maintenance and replacement of our key buildings and infrastructure. The Asset Management System will help staff develop long range plans for future replacement of critical assets and to prioritize our long term maintenance and replacement efforts.

Water accountability – Through meter replacement, identifying and addressing leaks, accounting for plant process water, and metering previously un-metered services, staff continue audit and reduce water loss. Recently staff have identified and fixed several leaks in the distribution system. Staff have also identified numerous leaks on the property owner's side and coordinated with the appropriate party to facilitate the necessary repairs.

Water Distribution System - Two pressure reducing valves which are critical components that regulate water system pressures in the lower part of town have been rebuilt and are functioning properly. The fire hydrant in the State Beach parking lot off Stagecoach Rd. has been rebuilt, and is now the primary source for commercial water trucks, removing that activity from Parker St.

PUBLIC WORKS

Interim Public Works Director

Ryan DeSmet has been appointed Interim Public Works Director while Bryan Buckman is out on medical leave. Ryan has all certifications required to oversee operation of the Water Treatment Plant and he and Paul are doing excellent work in Bryan's absence. We hope to see Bryan back soon.

City Contracting Requirements. As the Grant and Project Coordinator for the City, Becky is often assigned to develop public works and water system bid solicitations and contracts. Staying in compliance with California Public Contract and Labor Codes can be challenging and time consuming. Becky attended a seminar 'Public Contracting Requirements and Competitive Bidding' last week in San Jose to keep up to date about regulations and best practices for completing the different phases of the public works construction process. The registration fee included a manual that will be a useful reference for City Staff.

Trinidad Head Trail Maintenance – City staff worked with a Calfire CDCR crew to implement trail vegetation and view maintenance around Trinidad Head.

Ground Water Level Monitoring – City staff is working with the City Engineer to collect data from water level loggers in existing monitoring wells as well as from the barometric pressure logger (deployed on September 28). The information is being used by the City Engineers to ground truth the groundwater model, as well as to support decision making for future public works projects, the Local Coastal Plan update, and protection of the bluff and Tsurai Study Area.

Clean Beaches Initiative OWTS Repair/Replacement Grant – This is the final year of this grant to assist landowners with repair or replacement of failing OWTS in the Parker Creek, lower Luffenholtz and Joland Creeks. Eleven OWTS were upgraded last year through this grant program to improve water quality in creeks and at beaches in the

Trinidad and Luffenholtz area. Two more OWTS will be replaced in the next several months and another repair is in the planning stages. Project staff are conducting additional outreach to encourage OWTS owners in the priority areas of Parker Creek to get their systems inspected and, if their system needs repairs, to apply to the Clean Beaches OWTS program for funding assistance.

Town Hall ADA Improvements. A push button automatic door opener has been approved and should be installed shortly. A complete ADA assessment of the Town Hall has been completed.

Trinidad Library/Saunders Park ADA Improvements. A county review of ADA compliance issues in and around the library was recently completed. New signs and a rebuilt section of sidewalk have been completed to meet compliance issues. Animal tracks were lost, but the City is purchasing animal track stencils to allow painted tracks to replace those lost.

Firehouse Expansion – Complete.

City MS4 Permit Compliance and Reporting – City staff completed and submitted the Permit Year 4 online report on October 16 for the Municipal Separate Stormwater Sewer (MS4) Discharge Permit. MS4 Permit coverage is required due to the City's storm water discharge into the Trinidad Bay Area of Special Biological Significance (ASBS). Complying with the permit requirements is costly and time consuming and involves all City staff, the planner, the city engineer, and building official. The average permit compliance costs (not including monitoring) is approximately \$17,000 annually and \$85,000 for the 5 year permit term. In addition, once during each permit cycle, extensive water quality monitoring is required. For the current permit cycle, the City spent \$235,000 for a subset of the monitoring and reporting. The City was able to fund most of the monitoring costs through the prior ASBS Storm Water Project Grant, however additional monitoring requirements were conducted and paid for by the State Water Boards. The City is supposed to conduct another suite of monitoring under our next permit cycle (FY 18-19 or FY 19-20) unless we can either roll those costs into upcoming grants, or convince the State to let us forego the monitoring in lieu of our efforts to eliminate our stormwater discharge.

GRANTS –

ASBS Storm Water Management Improvement Project –Staff are continuing to work with the State Water Resources Control Board grant manager and US Department of Agriculture (USDA) staff to secure funding for the final phase of the Storm Water Project. In a separate Consent Agenda Item, the Council will consider entering into an agreement with the City Planner for preparation of an environmental assessment/NEPA documentation to meet the requirement of the USDA Storm Water financing application for match funding. NEPA for the Storm Water Project is scheduled to be completed in September.

Van Wycke Trail – (Grant Funded) – City Planner is working on the CEQA document. The project is waiting for that document to move forward.

Ocean Protection Council funded Citywide LID Planning and Construction Project

The City has requested additional funding from the OPC so the project construction can be awarded following the second bid solicitation. The Hector Street Improvements will be constructed with existing funding, and the East Street Improvements are contingent on approval of our request for additional funding. It is likely construction will take place in June, with landscaping of the Hector Street raingarden being completed in July.

Coastal Commission Local Coastal Program Grants

Trinidad LCP Planning and Sea Level Rise Update Project:

The City Planner and city staff are continuing work on several grant tasks including tribal consultation and incorporation of the Tsurai Management Plan into the Local Coastal Program (LCP), development of policies and regulations for the Harbor area, and updating the LCP. The grant project will be completed in October 2018.

City of Trinidad LCP Update Project 2

The Grant Agreement LCP 17-03 was executed in November 2017. City staff is working with the City Planner and City Engineer to enter into agreements for services for the grant tasks, so the work has not yet started. The project will focus on developing a Coastal Hazards Plan/Recommendations and Water Supply Assessment to support planning and work on the General Plan/LCP update.

FEMA storm damage reimbursement.

FEMA has reimbursed the City for our costs for the Scenic Dr. stormdrain repair, as well as funding to complete additional repairs needed. FEMA has indicated that they are likely not to provide any funding for the Edward St/Lighthouse slide, as they consider it to be a pre-existing condition rather than wholly caused by the specific storm event.

BUILDING DEPARTMENT

The former Church at the base of Westhaven Dr. has been red-tagged with a stop work order for failure to implement required building permits. Staff are pursuing the next steps to enforce the stop work order, including potential initiation of a nuisance abatement process.

The nuisance abatement process has also been initiated for shoreline protective structures built without permits at a home along Scenic Dr.

Routine review of plans and specs for construction in town is ongoing.



CONSENT AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 8 PAGES

2. Financial Statements February 2018

City of Trinidad
Statement of Revenues and Expenditures - GF Revenue
From 2/1/2018 Through 2/28/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Revenue					
41010	PROPERTY TAX - SECURED	45,716.95	45,716.95	90,000.00	(49.20)%
41020	PROPERTY TAX - UNSECURED	3,075.34	3,075.34	3,300.00	(6.81)%
41040	PROPERTY TAX-PRIOR UNSECURED	28.84	28.84	50.00	(42.32)%
41050	PROPERTY TAX - CURRENT SUPPL	439.38	439.38	600.00	(26.77)%
41060	PROPERTY TAX-PRIOR SUPPL	95.59	95.59	200.00	(52.20)%
41070	PROPERTY TAX - FINES	547.26	547.26	0.00	0.00%
41071	MOTOR VEHICLES	0.00	0.00	1,000.00	100.00)%
41110	PROPERTY TAX EXEMPTION	579.10	579.10	1,300.00	(55.45)%
41130	PUBLIC SAFETY 1/2 CENT	965.94	965.94	1,600.00	(39.63)%
41140	PROPERTY TAX - DOCUMENTARY RE	2,405.45	2,405.45	2,000.00	20.27%
41190	PROPERTY TAX ADMINISTRATION FE	(1,137.00)	(1,137.00)	(1,500.00)	(24.20)%
41200	LAFCO Charge	(452.93)	(452.93)	(1,750.00)	(74.12)%
41220	IN LIEU VLF	14,882.00	14,882.00	28,600.00	(47.97)%
42000	SALES & USE TAX	9,900.00	133,005.79	240,000.00	(44.58)%
43000	TRANSIENT LODGING TAX	5,641.90	86,559.86	150,000.00	(42.29)%
43100	TRANSIENT LODGING TAX-TBID	0.00	0.00	(15,600.00)	100.00)%
46000	GRANT INCOME	40,465.00	40,465.00	100,000.00	(59.53)%
46100	Measure Z Grant Income	0.00	0.00	75,000.00	100.00)%
47310	VEHICLE LICENSE COLLECTION	194.31	194.31	0.00	0.00%
47650	RECYCLING REVENUE	0.00	532.95	0.00	0.00%
49090	DONATIONS/FUNDRAISING/GRANTS	0.00	5,000.00	0.00	0.00%
53010	COPY MACHINE FEE	25.30	71.30	50.00	42.60%
53020	INTEREST INCOME	291.64	4,702.60	5,000.00	(5.95)%
53090	OTHER MISCELLANEOUS INCOME	735.48	2,541.75	1,000.00	154.18%
54020	PLANNER- APPLICATION PROCESSIN	4,966.80	6,616.80	8,000.00	(17.29)%
54050	BLDG.INSN-APPLICATION PROCESSI	1,046.25	10,065.60	9,000.00	11.84%
54100	ANIMAL LICENSE FEES	15.00	60.00	200.00	(70.00)%
54150	BUSINESS LICENSE TAX	60.00	18,117.00	7,500.00	141.56%
54170	VDU License Fee (Vacation Dwelling Unit)	0.00	0.00	9,000.00	100.00)%
54300	ENCROACHMENT PERMIT FEES	0.00	150.00	400.00	(62.50)%
56400	RENT - VERIZON	4,559.74	20,012.25	24,000.00	(16.62)%
56500	RENT - HARBOR LEASE	0.00	9,970.00	5,135.00	94.16%
56550	RENT - PG& E	0.00	0.00	9,500.00	100.00)%
56650	RENT - SUDDENLINK	0.00	3,343.47	3,800.00	(12.01)%
56700	RENT - TOWN HALL	212.00	3,747.00	7,000.00	(46.47)%
57200	Water Sales - Wholesale	0.00	720.00	0.00	0.00%
59999	INTERDEPARTMENTAL TRANSFER INC	0.00	0.00	100,000.00	100.00)%
	Total Revenue	135,259.34	413,021.60	864,385.00	(52.22)%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
201 - GFAdmin
From 2/1/2018 Through 2/28/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	200.00	1,600.00	3,500.00	54.29%
61000	EMPLOYEE GROSS WAGE	8,396.84	72,018.65	106,719.00	32.52%
61470	FRINGE BENEFITS	46.16	415.44	600.00	30.76%
65100	DEFERRED RETIREMENT	911.30	7,935.79	11,345.00	30.05%
65200	MEDICAL INSURANCE AND EXPENSE	1,051.29	9,666.28	13,099.00	26.21%
65250	Health Savings Program	9.13	87.49	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	3,318.45	3,415.00	2.83%
65500	EMPLOYEE MILEAGE REIMBURSEMENT	35.42	144.81	500.00	71.04%
65600	PAYROLL TAX	712.82	6,130.10	9,032.00	32.13%
65800	Grant Payroll Allocation	(122.50)	(1,190.00)	(1,880.00)	36.70%
68090	CRIME BOND	0.00	487.50	520.00	6.25%
68200	INSURANCE - LIABILITY	0.00	10,645.70	11,050.00	3.66%
68300	PROPERTY & CASUALTY	0.00	4,156.10	4,875.00	14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	7,953.00	7,953.00	10,000.00	20.47%
71130	ATTORNEY-LITIGATION	0.00	0.00	10,000.00	100.00%
71160	ACCOUNTING	0.00	798.23	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	2,494.75	3,000.00	16.84%
71300	CITY PLANNER-MEETINGS	0.00	3.50	0.00	0.00%
71310	CITY PLANNER-ADMIN. TASKS	13,901.15	52,965.78	48,000.00	(10.35)%
71410	BLDG INSPECTOR-ADMIN TASKS	640.00	7,745.65	6,000.00	(29.09)%
71420	BLDG INSPECTOR-PERMIT PROCESS	0.00	0.00	10,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	936.65	9,821.13	14,500.00	32.27%
71620	AUDITOR-FINANCIAL REPORTS	0.00	8,840.00	15,000.00	41.07%
72000	CHAMBER OF COMMERCE	0.00	0.00	16,800.00	100.00%
72100	BAD DEBTS	73.49	73.49	0.00	0.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	125.00	3,685.00	3,000.00	(22.83)%
75160	LIBRARY RENT & LOCAL CONTRIB.	0.00	500.00	500.00	0.00%
75170	RENT	750.00	6,000.00	9,000.00	33.33%
75180	UTILITIES	1,019.17	8,286.72	7,875.00	(5.23)%
75190	DUES & MEMBERSHIP	0.00	50.00	1,000.00	95.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	3,012.00	4,000.00	24.70%
75220	OFFICE SUPPLIES & EXPENSE	247.80	3,527.93	6,000.00	41.20%
75240	BANK CHARGES	10.00	10.00	200.00	95.00%
75300	CONTRACTED SERVICES	66.00	66.00	0.00	0.00%
75990	MISCELLANEOUS EXPENSE	135.62	1,040.51	0.00	0.00%
76110	TELEPHONE	130.35	1,923.57	1,800.00	(6.87)%
76130	CABLE & INTERNET SERVICE	211.90	2,312.30	3,500.00	33.93%
76150	TRAVEL	0.00	0.00	1,500.00	100.00%
78170	SECURITY SYSTEM	0.00	451.50	500.00	9.70%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	237.81	1,500.00	84.15%
96200	TRANSFER OUT	0.00	(84,525.00)	0.00	0.00%
	Total Expense	37,440.59	152,690.18	336,450.00	54.62%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
301 - Police
From 2/1/2018 Through 2/28/2018

		<u>Current Month</u>	<u>Year to Date</u>	<u>Total Budget - Original</u>	<u>% of Budget</u>
	Expense				
61000	EMPLOYEE GROSS WAGE	543.09	4,218.80	5,376.00	21.53%
65100	DEFERRED RETIREMENT	36.74	296.19	228.00	(29.91)%
65200	MEDICAL INSURANCE AND EXPENSE	0.24	0.96	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	153.86	172.00	10.55%
65600	PAYROLL TAX	44.54	347.03	429.00	19.11%
75170	RENT	750.00	6,000.00	9,000.00	33.33%
75180	UTILITIES	195.35	1,337.27	1,050.00	(27.36)%
75220	OFFICE SUPPLIES & EXPENSE	0.00	0.00	1,000.00	100.00%
75300	CONTRACTED SERVICES	0.00	0.00	244,027.50	100.00%
75350	ANIMAL CONTROL	120.00	882.00	1,500.00	41.20%
75990	MISCELLANEOUS EXPENSE	0.00	0.00	500.00	100.00%
76110	TELEPHONE	90.91	726.31	1,200.00	39.47%
	Total Expense	<u>1,780.87</u>	<u>13,962.42</u>	<u>264,482.50</u>	<u>94.72%</u>

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
401 - Fire
From 2/1/2018 Through 2/28/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
60900	HONORARIUMS	150.00	1,200.00	1,800.00	33.33%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	3,668.00	0.00	0.00%
75180	UTILITIES	56.63	387.65	500.00	22.47%
75190	DUES & MEMBERSHIP	0.00	0.00	250.00	100.00%
75280	TRAINING / EDUCATION	0.00	0.00	500.00	100.00%
75300	CONTRACTED SERVICES	0.00	73,762.70	75,000.00	1.65%
76110	TELEPHONE	57.32	480.79	1,000.00	51.92%
76140	RADIO & DISPATCH	0.00	0.00	900.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	81.98	350.00	76.58%
78150	VEHICLE REPAIRS	0.00	0.00	2,500.00	100.00%
78160	BUILDING REPAIRS & MAINTENANCE	6.59	6.59	1,000.00	99.34%
78190	MATERIALS, SUPPLIES & EQUIPMEN	194.11	712.81	2,500.00	71.49%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
	Total Expense	464.65	80,300.52	87,300.00	8.02%

City of Trinidad
Statement of Revenues and Expenditures - GF Expense
501 - PW (Public Works)
From 2/1/2018 Through 2/28/2018

		Current Month	Year to Date	Total Budget - Original	% of Budget
Expense					
61000	EMPLOYEE GROSS WAGE	6,736.50	51,629.12	85,557.00	39.66%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	808.92	6,099.73	10,492.00	41.86%
65200	MEDICAL INSURANCE AND EXPENSE	3,415.73	20,234.59	35,452.00	42.92%
65250	Health Savings Program	19.63	144.68	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	214.22	2,798.00	92.34%
65600	PAYROLL TAX	574.76	4,406.57	7,491.00	41.18%
65800	Grant Payroll Allocation	(1,670.63)	(12,706.20)	(43,000.00)	70.45%
71210	CITY ENGINEER-ADMIN. TASKS	440.75	38,290.61	8,000.00	(378.63)%
71250	CITY ENGINEER - PROJECT FEES	0.00	0.00	4,000.00	100.00%
75110	FINANCIAL ADVISOR/TECH SUPPORT	0.00	62.91	0.00	0.00%
75150	PROPERTY TAX	0.00	15.00	0.00	0.00%
75180	UTILITIES	0.00	36.11	0.00	0.00%
75200	MUNICIPAL/UPDATE EXPENSE	0.00	0.00	2,400.00	100.00%
75300	CONTRACTED SERVICES	0.00	8,414.85	12,000.00	29.88%
75370	UNIFORMS/PERSONAL EQUIP.	0.00	0.00	450.00	100.00%
78100	STREET MAINT/REPAIR/SANITATION	15.09	13,601.34	5,000.00	(172.03)%
78120	STREET LIGHTING	374.30	3,009.57	4,500.00	33.12%
78130	TRAIL MAINTENANCE	0.00	800.17	3,500.00	77.14%
78140	VEHICLE FUEL & OIL	440.85	2,878.32	4,000.00	28.04%
78150	VEHICLE REPAIRS	0.00	1,587.80	2,500.00	36.49%
78160	BUILDING REPAIRS & MAINTENANCE	227.89	1,901.44	5,000.00	61.97%
78170	SECURITY SYSTEM	180.00	463.50	500.00	7.30%
78190	MATERIALS, SUPPLIES & EQUIPMEN	269.64	3,364.53	13,000.00	74.12%
78200	EQUIPMENT REPAIRS & MAINTENANC	0.00	0.00	1,000.00	100.00%
96100	TRANSFER IN	0.00	(84,525.00)	0.00	0.00%
	Total Expense	11,833.43	59,923.86	165,140.00	63.71%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
601 - Water
From 2/1/2018 Through 2/28/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
Revenue					
53020	INTEREST INCOME	0.00	0.00	1,000.00	(100.00)%
53090	OTHER MISCELLANEOUS INCOME	0.00	0.00	2,000.00	(100.00)%
57100	WATER SALES	24,586.20	216,971.09	295,000.00	(26.45)%
57200	Water Sales - Wholesale	0.00	4,320.00	5,000.00	(13.60)%
57300	NEW WATER HOOK UPS	0.00	10,900.00	1,000.00	990.00%
57500	WATER A/R PENALTIES	1,737.19	3,808.94	1,000.00	280.89%
	Total Revenue	26,323.39	236,000.03	305,000.00	(22.62)%
Expense					
61000	EMPLOYEE GROSS WAGE	7,395.08	64,934.96	94,359.00	31.18%
61250	OVERTIME	0.00	0.00	500.00	100.00%
65100	DEFERRED RETIREMENT	873.66	7,611.94	11,333.00	32.83%
65200	MEDICAL INSURANCE AND EXPENSE	3,104.84	25,211.81	40,384.00	37.57%
65250	Health Savings Program	23.39	188.65	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	2,879.00	3,078.00	6.47%
65600	PAYROLL TAX	626.81	5,521.91	8,225.00	32.86%
68090	CRIME BOND	0.00	262.50	280.00	6.25%
68200	INSURANCE - LIABILITY	0.00	5,732.30	6,125.00	6.41%
68300	PROPERTY & CASUALTY	0.00	2,237.90	2,625.00	14.75%
71110	ATTORNEY-ADMINISTRATIVE TASKS	0.00	0.00	1,000.00	100.00%
71160	ACCOUNTING	0.00	429.82	0.00	0.00%
71210	CITY ENGINEER-ADMIN. TASKS	0.00	0.00	4,000.00	100.00%
71510	ACCOUNTANT-ADMIN TASKS	504.35	5,288.31	6,500.00	18.64%
71620	AUDITOR-FINANCIAL REPORTS	0.00	4,760.00	7,000.00	32.00%
72100	BAD DEBTS	0.00	6.26	350.00	98.21%
75180	UTILITIES	819.31	8,141.74	13,000.00	37.37%
75190	DUES & MEMBERSHIP	0.00	1,275.14	1,000.00	(27.51)%
75220	OFFICE SUPPLIES & EXPENSE	461.58	2,366.58	3,000.00	21.11%
75240	BANK CHARGES	0.00	10.00	100.00	90.00%
75280	TRAINING / EDUCATION	100.00	1,296.04	500.00	(159.21)%
75300	CONTRACTED SERVICES	0.00	7,708.30	15,000.00	48.61%
76110	TELEPHONE	251.48	971.41	1,800.00	46.03%
76130	CABLE & INTERNET SERVICE	61.95	495.60	750.00	33.92%
76160	LICENSES & FEES	0.00	2,423.70	4,500.00	46.14%
78120	STREET LIGHTING	0.00	0.00	1,600.00	100.00%
78140	VEHICLE FUEL & OIL	0.00	359.08	1,500.00	76.06%
78150	VEHICLE REPAIRS	0.00	217.73	2,000.00	89.11%
78160	BUILDING REPAIRS & MAINTENANCE	0.00	153.37	1,000.00	84.66%
78170	SECURITY SYSTEM	76.50	359.87	500.00	28.03%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	1,723.56	12,000.00	85.64%
78200	EQUIPMENT REPAIRS & MAINTENANC	322.00	442.00	1,000.00	55.80%
79100	WATER LAB FEES	420.00	3,555.00	4,000.00	11.13%
79120	WATER PLANT CHEMICALS	273.22	4,005.18	7,500.00	46.60%
79130	WATER LINE HOOK-UPS	0.00	10,900.00	1,000.00	(990.00)%
79150	WATER LINE REPAIR	0.00	10,045.92	15,000.00	33.03%
79160	WATER PLANT REPAIR	0.00	2,895.85	8,000.00	63.80%
90000	Capital Reserves	0.00	0.00	20,000.00	100.00%
	Total Expense	15,314.17	184,411.43	300,509.00	38.63%
	Net Income	11,009.22	51,588.60	4,491.00	1,048.71%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
701 - Cemetery
From 2/1/2018 Through 2/28/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
58100	CEMETERY PLOT SALES	0.00	3,712.50	9,500.00	(60.92)%
	Total Revenue	0.00	3,712.50	9,500.00	(60.92)%
	Expense				
61000	EMPLOYEE GROSS WAGE	1,110.86	9,712.31	13,685.10	29.03%
65100	DEFERRED RETIREMENT	133.30	1,132.92	1,748.42	35.20%
65200	MEDICAL INSURANCE AND EXPENSE	513.73	4,070.43	6,920.46	41.18%
65250	Health Savings Program	4.37	32.69	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	412.53	466.25	11.52%
65600	PAYROLL TAX	94.66	827.09	1,248.38	33.75%
75180	UTILITIES	45.23	421.73	750.00	43.77%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	500.00	100.00%
	Total Expense	1,902.15	16,609.70	25,318.61	34.40%
	Net Income	(1,902.15)	(12,897.20)	(15,818.61)	(18.47)%

City of Trinidad
Statement of Revenues and Expenditures - Monthly Reports
204 - IWM
From 2/1/2018 Through 2/28/2018

		Current Period Actual	Current Year Actual	Total Budget - Original	% of Budget
	Revenue				
46000	GRANT INCOME	0.00	5,000.00	0.00	0.00%
47650	RECYCLING REVENUE	0.00	1,337.53	10,500.00	(87.26)%
56150	FRANCHISE FEES	684.82	4,353.86	6,000.00	(27.44)%
	Total Revenue	684.82	10,691.39	16,500.00	(35.20)%
	Expense				
61000	EMPLOYEE GROSS WAGE	879.62	7,706.82	10,921.00	29.43%
65100	DEFERRED RETIREMENT	105.52	897.03	1,386.00	35.28%
65200	MEDICAL INSURANCE AND EXPENSE	409.21	3,249.71	5,614.00	42.11%
65250	Health Savings Program	3.48	26.49	0.00	0.00%
65300	WORKMEN'S COMP INSURANCE	0.00	326.94	369.00	11.40%
65600	PAYROLL TAX	75.00	656.35	989.00	33.63%
75130	GARBAGE	0.00	0.00	500.00	100.00%
78190	MATERIALS, SUPPLIES & EQUIPMEN	0.00	0.00	1,200.00	100.00%
	Total Expense	1,472.83	12,863.34	20,979.00	38.68%
	Net Income	(788.01)	(2,171.95)	(4,479.00)	(51.51)%



CONSENT AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 0 PAGES

3. Law Enforcement Report March 2018

No report was prepared by the HSCO Deputy by the packet deadline, but may be distributed to the Council prior to the meeting if available.



CONSENT AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

4. Approve Contract with Streamline Planning for Stormwater Project Environmental Permitting

CONSENT AGENDA ITEM

Date: April 11, 2018

Item: AGREEMENT FOR SERVICES WITH STREAMLINE PLANNING FOR STORM WATER PROJECT ENVIRONMENTAL DOCUMENTS

Summary:

The City is continuing to work with the US Department of Agriculture (USDA) to secure the Project match funding. The remaining step in the USDA grant/loan application requirement is preparation and submission of the National Environmental Protection Act (NEPA) environmental assessment. An update about the Storm Water Management Improvement Project is included in the Staff Report.

Staff recommends entering into an agreement with Streamline Planning Consultants/SHN for assistance with preparation of the NEPA documentation, not to exceed \$40,000. All costs incurred for preparation of the NEPA Environmental assessment are included for reimbursement in our USDA Grant/Loan budget.

Staff Recommendation:

Authorize the City Manager to enter into an agreement for services with SHN not to exceed \$40,000 for assistance with preparation of the Environmental Documents for the Storm Water Management Improvement Project.

Attachments: Streamline Planning/SHN Agreement for the Storm Water Project Environmental Documents.

Agreement for Services between City of Trinidad and Streamline Planning Consultants

For

Completion of a NEPA Environmental Assessment to Obtain USDA Funding for Phase 2 of the Trinidad Stormwater Improvement Project

Introduction

This agreement, dated _____, 2018 is between the City of Trinidad (City) and Streamline Planning Consultants (SPC) to provide assistance with completion of an Environmental Assessment to comply with the National Environmental Policy Act (NEPA) in order to obtain USDA funding for Phase 2 of the Trinidad Stormwater Improvement Project. This agreement is based on a prime agreement between the City of Trinidad and Streamline Planning Consultants dated May 12, 2015 (or any more current agreement that replaces that one). All provisions of the prime agreement apply to this agreement unless noted otherwise in this agreement.

The purpose of this USDA NEPA Project is to support application for funding as a match required as part of an approximately \$4 million funding grant from the State Water Resources Control Board's (SWRCB) Proposition 1 Stormwater Grant Program. Because this portion of the project is federally funded, NEPA analysis is required.

A Preliminary Engineering Report (PER) has been prepared that presents project alternatives to improve the operation of the City's stormwater system and to meet state standards. The report includes an evaluation of the City's present system, an analysis of alternatives, and proposes specific courses of action. The PER, which describes the proposed project from an engineering perspective, also identifies alternatives, defines project costs and provides information critical to the underwriting process. The goal of this project is to improve water quality through reducing pollutant discharge to the Trinidad Area of Special Biological Significance (ASBS).

SCOPE OF WORK, SCHEDULE AND DELIVERABLES

The following tasks define Streamline Planning Consultants (SPC) scope of work.

Task 1: Preliminary Outreach

SPC will lead an initial kickoff meeting to include, at a minimum, the City, the City Engineer, and SPC environmental and planning staff. The intent is to identify and define key environmental issues, gather relevant background and supporting information, and identify key stakeholders. After the kickoff meeting SPC will make contact, in accordance with the USDA EA Guidelines (RD-Instruction 1970-C), with resource agencies who are likely to be involved in the environmental review process.

Deliverables

- There are no deliverables associated with this task.

Assumptions

- This scope covers only SPC staff time for the meeting and assumes the City will make themselves and the Engineer available.

Task 2: Environmental Assessment Preparation

Task 2.1 Biological Resources Report

This task consists of updating the biological information that was developed for Phase 1 of the Stormwater Project. This includes quarrying the CNPS and CNDDDB lists of sensitive species to determine those that could potentially occur in the project area. It also includes a brief field reconnaissance to ensure that conditions have not changed since the work that was done for Phase 1 in 2013 and to assess habitat for any additional special status species identified. The biological resources report will be included as an appendix to the EA.

Task 2.2: Section 106 and other required agency consultation

SPC will contract with William Rich and Associates to complete the cultural resources/archeological report. Using that report, SPC will coordinate with USDA on the Section 106 consultation with Tribes and the SHPO. In addition to the Section 106 consultation, SPC will conduct other required agency consultations including Coastal Zone Management Act consistency and biological resources.

Task 2.3 Prepare Draft EA

SPC will prepare an administrative draft Environmental Assessment (EA) following the USDA (US Department of Agriculture) Rural Development published guidance for NEPA environmental assessments (RD Instruction 1970-C). SPC has been informed by the City that USDA staff have indicated that an EA would be the appropriate level of environmental review. Key issues are expected to include but not necessarily be limited to cultural resources, biological resources including those associated with Trinidad Bay, hydrology, and cultural resources.

The administrative draft would be provided to the City and to USDA for review, and SPC would then update the document based on comments received.

Deliverables

- Electronic copy of and hard copies, as needed, of the administrative draft EA.

Assumptions

- An EA is the appropriate level of review, and an Environmental Impact Statement (EIS) would not be required.
- The EA would analyze the alternatives identified in the Preliminary Engineering Report prepared by GHD as well as a no project alternative.
- The scope includes informal consultation with agencies under the Endangered Species Act and other relevant laws. A resulting concurrence letter from NMFS (National Marine Fisheries Service) and/or USFWS (US Fish and Wildlife Service) would be included in the appendices. The scope does not include formal consultation, and it is assumed that this would not be necessary. SPC does not control the outcome of other agencies, and does not make any guarantees that concurrence letters for the project will be provided.
- This scope does not include a Phase 1 Environmental Site Assessment. If one is required, that work would be done under a separate contract/scope, or this one will be amended.
- This scope assumes one round of review comments by the City and USDA, with the comments either consolidated or at least and conflicting responses resolved.
- SPC will not circulate the EA as we assume USDA will be circulating the document. Any necessary labor compliance services are provided by the City under a separate contract.

Task 3: Public Review

SPC will prepare a letter using the USDA template announcing the availability of an EA. It is assumed that the City would make hard copies of the draft EA provided as part of Task 2 available for public review, and that the USDA would also make the draft EA available for public review; additional hard copies will be provided as necessary. After the required public review period, SPC would respond to comments received and prepare a final EA, a Finding of No Significant Impact (FONSI), or mitigated FONSI, and a public notice announcing the availability of a FONSI. These documents would be provided to the City and to the USDA.

Deliverables

- One electronic and three hard copies of a Final EA
- One electronic and three hard copies of a FONSI
- One electronic copy of a public notice announcing the availability of a FONSI

General Exclusions and Assumptions

- It is assumed that after completion of the EA and response to comments, a FONSI or mitigated FONSI would be determined to be the appropriate finding and that an EIS would not be required.

- It is assumed that all comments would be received at one time at the close of the public comment period, and thus that there would be one round of responses necessary and this scope includes responses to up to 30 unique comments.
- It is assumed that a maximum of one public meeting would be necessary. An SPC representative would be available to attend one public meeting to be held in Trinidad. Minutes or documentation of the meeting are not included in this scope.
- Work not specifically defined in tasks above is not included in this scope of work.
- No survey, geotechnical, permitting, cost estimating, or design services are included in this scope.
- Should additional services not identified in this scope be requested or required, they can be provided with a scope and budget amendment.

Compensation

SPC will complete this scope of services on a time and materials basis. SPC will work with the City to provide the above defined tasks within the budget available. SPC invoices will be submitted no less than quarterly and are due and payable by the City within 21 days after the City is reimbursed by the State. Total compensation to SPC for this project is not to exceed \$30,000. Actual costs for each task estimated below may vary. The SPC budget is broken down as follows:

Task	Description	Fee
Task 1	Preliminary Outreach	\$1,500
Task 2	EA Preparation	\$33,500
Task 3	Public Review	\$5,000
	Total:	\$40,000

SCHEDULE

Project Begin date: 4/16/2018 Project End Date: 10/16/2018

Agreed

Daniel Berman

Date

Trinidad City Manager

Bob Brown

Date

Streamline Planning Consultants

City of Trinidad Account Tracking Number _____



CONSENT AGENDA ITEM 5

SUPPORTING DOCUMENTATION FOLLOWS WITH: 6 PAGES

5. Approve Contract with Streamline Planning for Local Coastal Program Update

CONSENT AGENDA ITEM

Date: April 11, 2018

Item: AGREEMENT FOR SERVICES WITH STREAMLINE PLANNING FOR LOCAL COASTAL PROGRAM UPDATE

Summary:

The City is working to update our Local Coastal Program of our General Plan. We were awarded additional grant funding (supplemental to the primary grant) from the Coastal Commission towards our Local Coastal Program Update to specifically address Coastal Erosion Hazards, a Water Supply Assessment, and our Building, Grading, and Zoning codes.

Staff recommends entering into the attached agreement with Streamline Planning Consultants/SHN for their role in these tasks. The funding for this agreement is secured as a grant from the Coastal Commission.

Staff Recommendation:

Authorize the City Manager to enter into an agreement for services with SHN not to exceed \$27,550 for assistance with the City of Trinidad Local Coastal Program Update.

Attachments: Streamline Planning/SHN Agreement for the City of Trinidad Local Coastal Program Update

Agreement for Services between City of Trinidad and Streamline Planning Consultants

For

Assistance with the Trinidad Local Coastal Program Sea-Level Rise Update Project

Introduction

This agreement, dated _____, 2018 is between the City of Trinidad (City) and Streamline Planning Consultants (SPC) to provide assistance with the Trinidad Local Coastal Program (LCP) Sea-Level Rise (SLR) Update Project being funded by a grant from the Coastal Commission Local Coastal Program Round 4 Local Assistance Grant Program, grant agreement No. LCP-17-03. This agreement is based on a prime agreement between the City of Trinidad and Streamline Planning Consultants dated May 12, 2015. All provisions of the prime agreement apply to this agreement unless noted otherwise in this agreement.

This project will update the City of Trinidad's Local Coastal Plan, including the planning, coordination, research, and ordinance revisions necessary to fill data gaps to update remaining portions of the LCP. The intent is to certify all areas within City limits and develop policies and programs that reflect the changed conditions, effects of climate change and new scientific knowledge since the Local Coastal Program (LCP) was certified in 1980. More than 95% of the City is within the Coastal Zone so the LCP serves as the land use guidance policies and regulations for the entire City. The LCP also sets goals and policies for managing resource protection and development activity in the Coastal Zone of the Trinidad Planning Area (TPA).

The City's goal is to protect, conserve and enhance the remaining coastal, wetlands, water resources, living marine resources, and wildlife habitats and other natural resources while maximizing the public's enjoyment of the coast. The data and documents that will be generated by this work plan are needed immediately. Two of the three proposed tasks have already been started by the City; however, to finish updating the LCP, the City needs to perform (A) a contingency plan for coastal hazards along Edwards Street, (B) a water supply assessment, and (C) an update of non-zoning portions of the implementation plan so the entire LCP can be internally consistent and submitted for certification. The scope of service is broken up into several tasks described below. These tasks align with those included in the City's Grant Agreement with the Coastal Commission.

TERMS AND CONDITIONS

In addition to the terms and conditions outlined herein, the terms and conditions of this agreement shall be in accord with and encompass those terms and conditions set forth in the Coastal Commission Grant Agreement No. LCP-17-03, attached hereto as Exhibit A.

SCOPE OF WORK, SCHEDULE AND DELIVERABLES

TASKS: The project consists of three main tasks in addition to Grant Administration. These are: Task 1 – Coastal Erosion Hazard Management Plan; Task 2 – Water Supply Assessment; Task 3 – Implementation Plan (IP) update. The following narrative provides a more detailed description of each of the tasks.

Task 1 – Coastal Erosion Hazard Management Plan

The task will include development of the Edwards Street Coastal Erosion Hazard Management Plan/Recommendations, stakeholder outreach, and development of LCP policies and regulations to

implement the Plan/Recommendations. Coastal Commission staff will be consulted throughout the task, and will have the opportunity to review draft documents and provide comments prior to finalization.

Streamline Planning will be responsible for overall task coordination and completion including:

- 1.1 Coordination with City Engineer to complete the Coastal Hazards Plan/Recommendations
- 1.2 Conducting stakeholder and public meetings to present options to address identified risks,
- 1.3 Consultation with Coastal Commission staff,
- 1.4 Review of draft and final Plan/Recommendations,
- 1.5 Development of updated LCP policies and regulations to implement the Plan/Recommendations,
- 1.6 Planning Commission Review and Recommendation, and
- 1.7 City Council Review.

City Engineer will assess coastal hazards and risks and develop a range of options to address those risks based on existing geologic studies with a focus on Edwards and Van Wycke Streets; Edwards Street Coastal Erosion Hazard Management Plan/Recommendations

City Staff will assist with coordination, stakeholder and public outreach

Task 2 – Water Supply Assessment

Under this grant, the project will develop Planning Area focus areas and land use scenarios (e.g. ADU allowance). The project will then complete a comprehensive water supply assessment to determine the City's service capacity and potential build-out demand within the City's Service Area to avoid substantial cumulative effects on the City's water supply and to adequately plan for the uncertainties of climate change to protect the watershed.

Using the updated water supply assessment, in conjunction with the Climate Change Vulnerability Report and Adaption Response that was prepared under the City's 2014 LCP Planning Grant, the City can plan for the uncertainties of climate change that may affect adequate water supply, the resilience of stream habitat, risks and hazards, water quality and the need for alternatives. The project will develop priorities and recommendations for water service to present to the public and stakeholders through targeted stakeholder meetings and in consultation with Coastal Commission staff.

With the Water Supply Assessment, the project staff will update the LCP based on the Water Supply Assessment and stakeholder input. The update will be presented to the Planning Commission and City Council for review. Coastal Commission staff will be consulted throughout the task, and will have the opportunity to review draft documents and provide comments prior to finalization.

Streamline Planning will:

- 2.1 Develop Planning Area focus areas and land use scenarios (e.g. ADU allowance) for the Water Supply Assessment
- 2.2 Coordinate with City Engineer to complete comprehensive Water Supply Assessment
- 2.3 Develop priorities and recommendations for water service to present to the public and stakeholders
- 2.4 Conduct targeted stakeholder meetings (e.g. Trinidad Bay Watershed Council)
- 2.5 Consultation with Coastal Commission staff
- 2.6 Develop LCP policies and regulations and map(s) as needed based on Water Supply Assessment and stakeholder input

2.7 Planning Commission Review and Recommendation

2.8 City Council review

City Engineer will complete comprehensive Water Supply Assessment and present at several public/stakeholder meetings.

City Staff will be responsible for: Providing administrative support for the above tasks.

Task 3 – Implementation Plan (IP) update

The City's Building, Grading and Subdivision ordinances are part of the certified LCP and must be updated. Funding from the 2014 LCP grant was used to identify data gaps, inconsistencies, regulatory changes and other needs and priorities for the City's Implementation Plan that included the zoning, building, subdivision and grading ordinances; however, it only included a comprehensive update of the zoning ordinance. Since the IP was originally written in the late 1970's and the first in the State to be certified, it is severely outdated. Many modern issues and situations are unaddressed as they were not envisioned over 30 years ago. The zoning ordinance will be updated under the City's 2014 LCP Planning grant. This project will review and identify City code ordinances and regulations that need to be included in the LCP. Staff will review and update IP ordinances to address new information and regulatory requirements. In addition, staff will identify ordinances such as the Stormwater Ordinance and other City regulations that need to be included in the LCP update and certification. Following review of the IP by Coastal Commission, City Planning Commission and Council, the project will prepare the LCP amendment application in coordination with Coastal Commission staff.

Streamline Planning will be responsible for the tasks:

- 3.1 In consultation with Coastal Commission staff, review and identify City code ordinances and regulations that need to be included in the LCP
- 3.2 Project Staff review and update of IP ordinances to address new information and regulatory requirements
- 3.3 Consult with Coastal Commission staff regarding updated IP
- 3.4 Planning Commission review and recommendation
- 3.5 City Council review
- 3.6 Prepare LCP amendment application in coordination with Coastal Commission staff

City Staff will provide administrative support

4. Grant Administration

Streamline Planning will be responsible for submitting timely invoices and meet the grant requirements and information to support time billed and updates for the quarterly reports, tracking and managing the Streamline budget, including SPC match costs as detailed in the CCC grant agreement, tasks and deliverables, and drafting the final report.

City Staff will be responsible for managing subcontractors, compiling and submitting quarterly invoices and reports, tracking task activities, and submitting grant close out materials and the final report.

SCHEDULE AND DELIVERABLES

Project start/end dates: November 1, 2017 – April 30, 2019

Task 1. Coastal Erosion Hazard Management Plan	11/01/2017 – 4/30/19
1.1 Assess coastal hazards and risks and develop a range of options to address those risks based on existing geologic studies	11/01/17 – 4/30/18
1.2 Stakeholder and public meetings to present options	05/01/18 – 8/31/18
1.3 Consultation with Coastal Commission staff to include any coordination through the city council review stage	08/01/18 – 4/30/2019
1.4 Prepare Edwards Street Coastal Erosion Hazard Management Plan / Recommendations	08/01/18 – 11/30/18
1.5 Develop LCP policies and regulations to implement the Plan / Recommendations	10/01/18 – 01/31/18
1.6 Planning Commission review and recommendation	01/01/19 – 02/28/19
1.7 City Council review	03/01/19 – 04/30/19
<i>Outcome / Deliverables:</i> (1) Risk Assessment & Options (2) Edwards Street Coastal Erosion Hazard Management Plan / Recommendations (3) Updated LCP policies / regulations	Completion Date: (1) 04/30/18 (2) 11/30/18 (3) 04/30/19
Task 2. Water Supply Assessment	02/01/2018 – 09/30/19
2.1 Develop Planning Area focus areas and land use scenarios for the Water Supply Assessment	12/01/17 – 02/28/18
2.2 Complete comprehensive Water Supply Assessment	02/01/18 – 07/31/18
2.3 Develop priorities and recommendations for water service to present to the public and stakeholders	07/01/18 – 09/30/18
2.4 Targeted stakeholder meetings	10/01/18 – 02/28/19
2.5 Consultation with Coastal Commission staff (beginning with subtask 2.3)	07/01/18 – 08/31/19
2.6 Develop LCP policies and regulations and map(s) as needed based on Water Supply Assessment and stakeholder input	02/01/19 – 05/31/19
2.7 Planning Commission Review and Recommendation	05/01/19 – 07/31/19
2.8 City Council review	08/01/19 – 09/30/19
<i>Outcome / Deliverables:</i> (1) Water Supply Assessment (2) Updated policies and regulations (3) Final Service Area Map	Completion Date: (1) 07/31/18 (2) 07/31/19 (3) 09/30/19
Task 3. Implementation Plan (IP) update	11/01/2017 – 12/31/19
3.1 In consultation with Coastal Commission staff, review and identify City code ordinances and regulations that need to be included in the LCP	11/01/18 – 01/31/19
3.2 City Staff review and update of IP ordinances	01/01/19 – 06/30/19
3.3 Consult with Coastal Commission staff regarding updated IP	04/01/19 – 12/31/19
3.4 Planning Commission review and recommendation	07/01/19 – 09/30/19

3.5 City Council review	10/01/19 – 11/30/19
3.6 Prepare LCP amendment application in coordination with Coastal Commission staff	09/01/19 – 12/31/19
<i>Outcome / Deliverables:</i> (1) City code assessment (2) Updated ordinances (3) Draft LCP amendment application	Completion Date: (1) 01/31/19 (2) 11/30/19 (3) 12/31/19
Task 4. Grant Administration	11/01/2017 – 12/31/19
4.1 Sign grant contract with Coastal Commission	11/01/17 – 11/30/17
4.2 Submit quarterly invoices and reports	11/01/17 – 12/31/19
4.3 Submit grant close out materials / final report	10/01/19 – 12/31/19
Outcome / Deliverables: Final Report and invoice	Completion Date: 12/31/2019

BENCHMARK SCHEDULE

ACTIVITY	COMPLETION DATE
Sign contract with Coastal Commission	Completion Date: 11/01/2017
Coastal Erosion Hazard Plan	Completion Date: 11/30/2018
Water Supply Assessment	Completion Date: 07/31/2018
Planning Commission recommended LCP erosion hazard policies and regulations	Completion Date: 04/30/2019
Planning Commission recommended water supply/service policies and regulations and Service Area Map	Completion Date: 09/30/2019
Planning Commission recommended Building, Grading & Subdivision Ordinance updates	Completion Date: 11/30/2019
Grant Close-out	Completion Date: 12/31/2019

PROJECT BUDGET

Streamline Planning will complete this scope of services on an hourly basis. Streamline Planning will work with the City to provide the above defined tasks within the budget available. Streamline Planning will prepare invoices in accordance with Exhibit A. Grant Agreement and the **Guidance on CCC Grant Invoicing Requirements**. Travel reimbursement rates for this grant project are the same as the standard state employee rates (mileage currently \$0.545/mile). SPC invoices will be submitted no less than quarterly and are due and payable by the City within 21 days after the City is reimbursed by the State. Total compensation to SPC for this project under this CCC grant agreement is not to exceed \$27,550. The SPC budget is broken down as follows:

Contract City Planner (SPC) Task Budget	CCC Grant Total
<i>Task 1 – Coastal Hazards Planning</i>	\$6,430
<i>Task 2 – Water Supply Assessment</i>	\$7,350
<i>Task 3 – IP Update</i>	\$9,180
<i>Task 4 – Grant Administration</i>	\$4,590
Total	\$27,550

Agreed

Daniel Berman
Trinidad City Manager

Date

Bob Brown
Streamline Planning Associates

Date

City of Trinidad Account Tracking Number **211**



CONSENT AGENDA ITEM 6

SUPPORTING DOCUMENTATION FOLLOWS WITH: 4 PAGES

6. View Restoration on Van Wycke St.

Additional reference materials were provided with the 03-28-18 cc2 packet that are not being included with this packet.

CONSENT AGENDA ITEM

Date: April 11th 2018

Item: Letter authorizing vegetation removal in Van Wycke St. right of way

4-11-2018 Update

Staff held a meeting with representatives of the Trinidad Rancheria and Yurok Tribe on Wednesday April 4th to review the project and visit the project site. A representative of the Tsurai Ancestral Society was invited but did not participate.

Staff have added the following conditions to the project approval letter regarding protection of cultural resources:

- 1) The contractor will provide a work schedule at least one week in advance, so that the City can notify the Yurok and Rancheria THPOs (Trial Heritage Preservation Officers) and they can provide on-site monitors during the work
- 2) The contractor will receive instruction to stop work immediately and contact the City if they discover any evidence of cultural resources or remains during their work.

The representatives present at last week's site visit reserved the right to make additional comment after having time to review and discuss with their respective Councils. No additional written comments have been received as of the preparation of this agenda packet.

The proposed work is some months off, allowing time for additional suggestions or conditions to be added as appropriate.

Staff recommends the Council:

Authorize staff to approve the vegetation management for viewshed protection in the Van Wycke Street Right of Way, with discretion to modify the conditions of approval as appropriate.

3-28-18 Update –

This item was discussed on Feb 28th and the Council elected to hold it for thirty days to allow additional time for public comment, especially from Tribal entities.

The THPOs of the Trinidad Rancheria and the Yurok Tribe as well as the Secretary of the Tsurai Ancestral Society were emailed the agenda packet on 2/27/18 and invited to comment. No comments have been received. That email is attached.

2/28/18 Staff report

Summary and Recommendation:

Two clumps of alder trees growing in the Van Wycke St. right of way are impacting the view of the upslope neighbors. This area is within the City's Views and Vegetation Ordinance. The neighbors have asked the City to address the view impacts, and offered to pay for the work. The City has requested and received (attached) 1) a survey map verifying the location of the trees on the street right of way, 2) a letter from an engineering geologist stating that removal will have no significant impact on bluff stability, and 3) a biological assessment addressing environmentally sensitive habitat. Only trees that are less than 12 inches in diameter are being authorized for removal. The trees are likely to be removed eventually as part of the Van Wycke Trail project.

City staff, in consultation with Coastal Commission staff, have determined that as conditioned, this vegetation work does not constitute 'major vegetation removal' and therefore does not require a Coastal Development Permit. Staff have drafted a letter to the neighboring property owners (attached) that would authorize them to go ahead with tree removal and trimming, with specific conditions to minimize impacts. This is within staff's discretionary authority, but given the sensitivity of vegetation management and viewshed protection issues, staff chose to place it on consent to provide the public a chance to comment, and to provide the Council the option to consider the matter further.

Staff recommends the Council:

Authorize staff to approve the vegetation management for viewshed protection in the Van Wycke Street Right of Way, with discretion to modify the conditions of approval as appropriate.

Attachments:

1. SHN letter regarding slope stability impacts
2. Survey work map indicating alder locations
3. SHN letter regarding Environmentally Sensitive Habitat Areas
4. Draft City Letter authorizing removal with conditions.

CITY OF TRINIDAD

P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Susan Rotwein, Mayor



April XX, 2018

Marc Gottschalk
(address)

RE: Viewshed Protection and Alder trees

Dear Marc,

Thank you for your patience and cooperation in working with the City regarding the alder trees impacting your views and those of your neighbors. The survey you provided from Mike O'Hern confirms their location on the Van Wycke Street right of way, and the geology letter addresses the slope stability issues we have discussed. A biological assessment was performed to determine what permitting, if any, would be needed to address the viewshed issues.

A Coastal Development Permit (CDP) would be required if the project involves "major vegetation removal." Measures used to evaluate whether a project involves 'major vegetation removal' include: (1) impacts to an 'environmentally sensitive habitat area (ESHA); (2) removal of trees over 12" diameter at breast height (DBH); or (3) removal of vegetation over a ground surface area of more than 500 sq. ft.

Based on all this information, City staff have determined that as long as the project adheres to the recommendations in the biological assessment report (described in more detail below), it would not constitute major vegetation removal and can go ahead without a CDP.

The City of Trinidad, by this letter, is authorizing you to go forward with hiring a professional tree service to work on the two clumps of alders impacting your view, **subject to the following conditions:**

1. An onsite meeting with City staff and the tree service is required prior to the commencement of work to review these conditions and confirm the specific scope of work.
2. No ground disturbance is allowed.
3. A schedule will be provided at least one week in advance of the work.
4. Contractors will receive instruction to halt all work and contact the City immediately in the event of any sign of cultural resources or remains.

5. All work will be done using hand tools (including chain saws) and vegetation disturbance around the alders shall be minimized.
6. All recommendations of the biological assessment for work on the larger group of alders will be followed, including:
 - a. Trees should be felled away from larger shrubs and native *Rubus* dominated areas.
 - b. Large branches that could act as perches after felling shall be removed prior to felling.
7. Only trees smaller than 12" DBH may be removed.
8. Pruning of trees larger than 12" DBH shall not be so severe as to negatively affect their long-term health.
9. The City is not approving access or trespass onto adjacent private property.
10. This approval is specific to the alders on the City right of way identified in the O'Hern survey and the SHN geology letter.
9. You reimburse the City for the cost of the Biological Assessment and City Planner time spent on this project.

Consistent with the viewshed and vegetation ordinance and subject to approval from the City Manager, the City will allow you to conduct periodic vegetation maintenance work to maintain the views restored through this initial viewshed restoration effort.

Please let me know if you have any questions.

Sincerely,

Daniel Berman
City Manager



DISCUSSION AGENDA ITEM 1

SUPPORTING DOCUMENTATION FOLLOWS WITH: 15 PAGES

1. Discussion regarding Trinidad Head Cell Tower Lease

TRINIDAD CITY COUNCIL
DISCUSSION / ACTION AGENDA ITEM



Wednesday April 11th 2018

Item: Trinidad Head Cellular Communications Lease

4-11-2018 Update

This item was continued from the Council meeting of 3-28-2018. Council requested additional information about the status, if any, of Verizon efforts to pursue other tower locations, including on Green Diamond Resource Company timberlands.

Additional Information:

The Verizon representative working on this project was unfamiliar with Green Diamond Resource Company and indicated he is not aware of alternative sites under consideration beyond the existing Trinidad Head and Quarry sites. City staff provided a map and contact information.

Verizon was also asked if there are functional 'booster' technologies, where a smaller piece of equipment, potentially on City property like Town Hall or the Fire Station, could work in conjunction with the Quarry site to improve coverage in town. No response has been received at the time of this report preparation.

Staff followed up with Yurok THPO Frankie Myers regarding his statement that Verizon and Green Diamond are working together. He was referring to Verizon and Green Diamond collaboration regarding another cellular site elsewhere in the County (Red Mountain), where a similar discussion has been playing out.

In a recent (2017) County Planning Commission hearing regarding a proposed Verizon tower in upper Westhaven, Verizon reported that Green Diamond was not interested in hosting a cell site, but when the issue was followed up with Green Diamond they responded that they had not been contacted, and they are generally open to the possibility of siting cell towers on their timberland where appropriate.

Cell towers have both a line of sight issue, and a limited range (distance) issue, so staff's understanding is that a tower on Green Diamond timberland above Trinidad would likely have worse issues than the Quarry location, as it would be farther away, while having the same problems for the beaches and other low points where the local topography blocks the line of sight.

AT&T representatives expressed interest in the Trinidad Cemetery, but even if the Council and community were supportive, there is not available space for a facility on that property.

The Trinidad Volunteer Fire Department has contributed a letter (attached) expressing their concern about impacts to public safety if cellular coverage is impacted by the removal of the Trinidad Head site.

Conclusion:

The City informed Verizon about a decade ago that the lease was unlikely to be renewed. Last year the City decided to extend the lease through September 2018 to allow more time for alternatives to be developed.

Staff are concerned about impacts to safety and convenience, but also frustrated that the companies involved have not made more progress in planning for this change.

If the cell companies had a clear plan underway to replace the Trinidad Head site and were requesting an additional year or two to implement it, staff would be supportive of attempting to negotiate a short term extension to ensure coverage was not affected.

In the apparent absence of such a plan, staff recommends the Council reaffirm the September 2018 termination date to emphasize to the cell companies that they need to develop an alternative ASAP.

Staff Recommendation:

Staff recommend the Council reaffirm the September 2018 termination date and encourage the cell companies to keep the City and community informed as to their plans to develop alternative coverage.

(From March 28th meeting)

Background:

Last May the Council considered what to do with the expiring lease for the cellular communications facility on Trinidad Head. (See attached May 10th 2017 staff report)

At that time the lessee, Verizon, indicated that it no longer needed the site to provide adequate cellular coverage for the Trinidad Area. AT&T and Sprint, who sublease space at the site from Verizon, stated that their customers would be significantly affected. The Council decided to extend the lease for one year, and to terminate the lease as of September 2018.

Verizon has since contacted the City requesting that the City reconsider terminating the lease. They are now saying that they do not have adequate replacement coverage for the site, and their cellular coverage in the greater Trinidad area will be significantly affected by the site's removal.

Staff have asked Verizon for coverage maps, test results, and other factual data to support their assertion that removal of the site would negatively affect Trinidad area residents. Verizon will be making a presentation at the meeting and have provided a draft of that presentation which is attached to this staff report.

Discussion:

The following discussion should be read as an update to the attached May 10th 2017 staff report.

Zoning/Permitting

A new cellular facility could not be permitted on Trinidad Head due to the Open Space zoning and the terms of the land transfer from the federal government. However the existing non-conforming use can be continued indefinitely, including repair, maintenance, and replacement, so long as the degree of non-conformity is not expanded. Staff believe the lease could be modified and extended without new permitting.

Coverage

Staff see loss of cell phone coverage as a significant concern for commerce, safety, and convenience of residents and visitors. Functional cellphone coverage is becoming more and more like a modern (private) utility that people rely on, including many who may no longer have 'landlines' at all. While it is not the City's responsibility to ensure cellular coverage in the area, this lease issue is a discretionary decision by the City that could result in a significant coverage loss for City and area residents.

Public information about coverage is limited. Staff have requested detailed information prior to the May 2017 meeting and this meeting, and have received limited and largely qualitative information. The attached draft presentation is basically the extent of information provided to date. It seems to show that during a 'test run' last November,

turning off the Trinidad Head site had a dramatic effect on coverage for Verizon customers.

Lease Value

The City currently receives a total of about \$26,000 annually for the lease. Staff expect that amount would increase significantly (by a factor of 2 to 4, i.e. \$50K to 100K) under a renegotiated lease, but have not pursued detailed real estate negotiations based on the prior decision to terminate.

City Council Options

The Council has a range of options

- 1) Affirm the 2017 decision to terminate the lease in September 2018
- 2) Consider another short-term extension (1-3 years) to provide additional time for the cellular companies to develop alternative facilities
- 3) Consider a longer-term renewal of the lease.

If the Council opts to pursue either a short or long-term extension of the lease beyond this September, the next step would be real estate negotiations on the terms of the lease.

A draft lease would then return to Council for consideration.

From: Tom Marquette
To: Dick Kieselhorst; Trinidad City Manager
Subject: Cell coverage in Trinidad area
Date: Thursday, April 5, 2018 2:39:03 PM

The Trinidad volunteer fire department is concerned about the loss of cell phone coverage if the cell tower is moved from Trinidad head.

Over the years the fire department has become more and more dependent on cell phone service for its operation. We are now paged out with our cell phones instead of pagers and radios. Cell phone map applications also show us where medical and fire emergencies are located.

Once on scene, communications are vital for safe and successful operations. Radio service is weak or nonexistent in many areas around Trinidad. The addition of a cell tower on the head mitigated most of these limitations.

We strongly encourage the city council to negotiate a contract with Verizon that would allow the cell tower to remain where it is until an equal or better location is found even if this takes a couple of more years.

The Trinidad volunteer fire department is here to safeguard the welfare of our community. We are not negating any other parties concerns we are only trying to put the safety of our citizens and volunteers first. We sincerely hope the city council will take this under consideration when making its decision about the cell tower issue.

TVFD

ACTION AGENDA ITEM

Wednesday, May 10th, 2017

Item: Trinidad Head Cell Tower Lease

Background

When the City of Trinidad was given ownership of approximately 46 acres on Trinidad Head by the federal government in 1983, the granted property included a cable TV communications facility near the top of the Head. Trinidad Head is in the City's Open Space zoning, and the City's receipt of the property came with condition from the federal government that it be used for public recreation. However because it was already in place upon the City's receipt of the land, the cable facility was considered a legal non-conforming use. That use, with lease rent to the City, continued into the 1990's. In 1997, with the cable company no longer interested in the site, the City of Trinidad entered into a 20 year lease for cellular communication facilities on the site. The cable dish on site was replaced with two poles, with cellular antennae affixed. The end date of that 20 year lease is now approaching.

The Lease Agreement:

The copy of the lease that the City has had on file, which has been referenced repeatedly in past decisions and discussions about this issue, was an unsigned draft dated April 1997. The City has recently obtained a final signed version of the lease from the current lessee (attached). This final lease agreement:

- a) Was signed in August of 1997, with an effective start date of September 1st, 1997, therefore the 20 year lease term ends on Sep 1st 2017;
- b) Provides that the City can terminate the lease by providing notice of its intent to do so within 90 days of the lease termination date, i.e. by June 1st 2017
- c) If notice is not provided by June 1st, the lease is automatically extended for one additional year.
- d) Note that the option to extend the lease by five years, which is present in the draft lease, was removed from the final signed lease. Staff found corresponding May 1997 Council meeting minutes documenting the decision to remove that term from the lease.

Approval of the 1997 lease appears to have been non-controversial at the time. However, when a permit to modify the site was considered in 2006-7, there was vocal opposition, including an appeal to the Coastal Commission of the City's permit approval. Coastal Commission staff recommended denial, and the applicant withdrew the project. Since that time, the City has allowed some small modifications to equipment on site, with review by Coastal Commission staff to establish concurrence that these modifications have not required a new Coastal Development Permit.

Carriers and Coverage:

The City's lease is with Verizon. Verizon subleases to two other mobile providers: Sprint and AT&T. City Staff have notified all three carriers of the current lease situation, and asked them to describe the impacts to their coverage if the site was to be removed. The City Council previously (2012) sent a letter to Verizon notifying them that the City may end the lease when it is able.

Verizon has indicated they are prepared to give up the Trinidad Head Site. They have built alternative coverage, including a large tower that recently went up at the rock Quarry above the City. They have not provided any coverage map of the effect of removing the Trinidad Head site.

The other two carriers are very concerned. Sprint says the loss of the Trinidad Head tower would basically eliminate coverage for their customers north of the Little River, as Trinidad Head is their only tower north of McKinleyville. AT&T has provided less detailed information, but also indicated that their coverage and customers would be seriously affected in the greater Trinidad area. Sprint indicated that it would take them 12-18 months to develop an alternative site.

Interest in Continuing Use:

Sprint and AT&T have expressed interest in continuing their existing use under a new agreement and payment arrangement with the City. They have also requested that if the City decides to remove the site completely, the City consider extending the lease for one additional year to provide them time to develop alternative coverage.

The City has also received one preliminary statement of interest from another party who would like to continue the existing use of the site under a new lease from the City. That interest is conditioned on minimal changes to the facility so as not to require a new Coastal Development Permit.

The City currently receives approximately \$25,000 per year in lease payments for the site. Staff expect that number would increase under a new arrangement, but no negotiations have occurred. Staff see continuation of use as feasible only if it can be done with basically no changes to the site.

Key Issues:

Zoning - Removal of the facility would be consistent with the Open Space Zoning. There is no requirement to remove a non-conforming use, and non-conforming uses generally can be altered, repaired, and extended, but cannot be made 'more non-conforming'.

Visual Resources - Removal would improve visual resources somewhat. The cell site is visible, more so from off the Head than from the trails on the Head. But the site is one of several similar structures in view - the power poles and lines climbing the Head, and the radio tower and atmospheric monitoring equipment on federal property adjacent to the cell site, will remain.

Coverage Loss/Public Safety - This location has exceptional line-of-sight coverage for the greater Trinidad area, including on local beaches and at sea. Removal will (per carrier's report) dramatically affect cell phone coverage for Sprint and AT&T customers, whether resident or visitors. This is a public safety as well as a convenience issue.

Revenue - The City has been receiving approximately \$25,000 per year from leasing the site; staff expects that a continuation of existing use would generate at least that much going forward. This is about 5% of our General Fund Revenue (excluding grants).

Permitting Challenges- Continuing use through any new lease arrangement would be controversial. Staff expect any change on site that requires a permit to be appealed to the Coastal Commission, and expects Commission staff to recommend denial. Minor repairs and maintenance of existing structures, including like-for-like replacement of components, typically does not require a new permit, but staff expect any such proposal would be viewed skeptically by Commission Staff.

Public Input -Prior public comments have included arguments both for and against removal. A previous City Council sent a letter to Verizon indicating their intent to remove the towers at this point. The Trinidad Head Study Committee Final Report recommended removal, as have the Yurok Tribe. In recent conversations staff have heard from Volunteer Fire Department staff (speaking as individuals) and local fisherman concerned about loss of coverage

Staff see the following options for Council to consider, with brief pros and cons of each:

- 1) **End the Cell Tower Use this fall.** Notify Verizon and the other carriers that we are terminating the lease with no intent to continue use. Verizon is responsible for removing the equipment, and it should be gone by Sep 1st according to the lease. This decision would need to be made prior to June 1st.

Pros: Removes a non-conforming commercial use from Open Space Zoning. Improves visual resources on Trinidad Head, avoids permit fights.

Cons: Dramatic coverage loss for Sprint and AT&T customers; City foregoes ongoing General Fund Revenue

- 2) **Extend the current lease for one year with intent to terminate in 2018.**

Pros and Cons - as with immediate removal above, except this avoids abrupt coverage loss for AT&T and Sprint, assuming they can find alternative options. Other benefits are delayed one year.

- 3) **Extend the current lease for one year and explore negotiations with parties interested in continuing use**

Pros -Gain more information on possible revenue, no permit challenge to a one year extension of existing use, No impact on coverage/public safety or City revenue next year. Option of terminating facility still available.

Cons: (if new lease) No change to non-conforming use and visual impacts, permitting challenges.

Staff Recommendation:

Staff recommend that the Council: a) extend the lease for one year. b) negotiate over the next few months with parties interested in leasing the site, and c) decide before September 2017 whether to enter into a new lease, or eliminate the site in September 2018, so that carriers can adjust accordingly.

Attachments:

Signed 1997 Cell Tower Lease

Trinidad Head
March 28, 2018

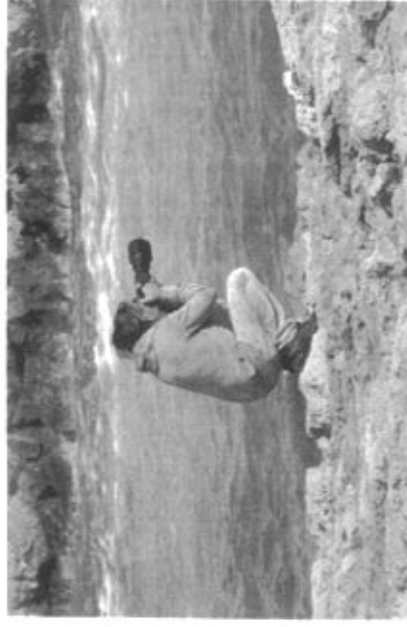
Verizon Wireless

Lease Renewal

PUBLIC



SAFETY

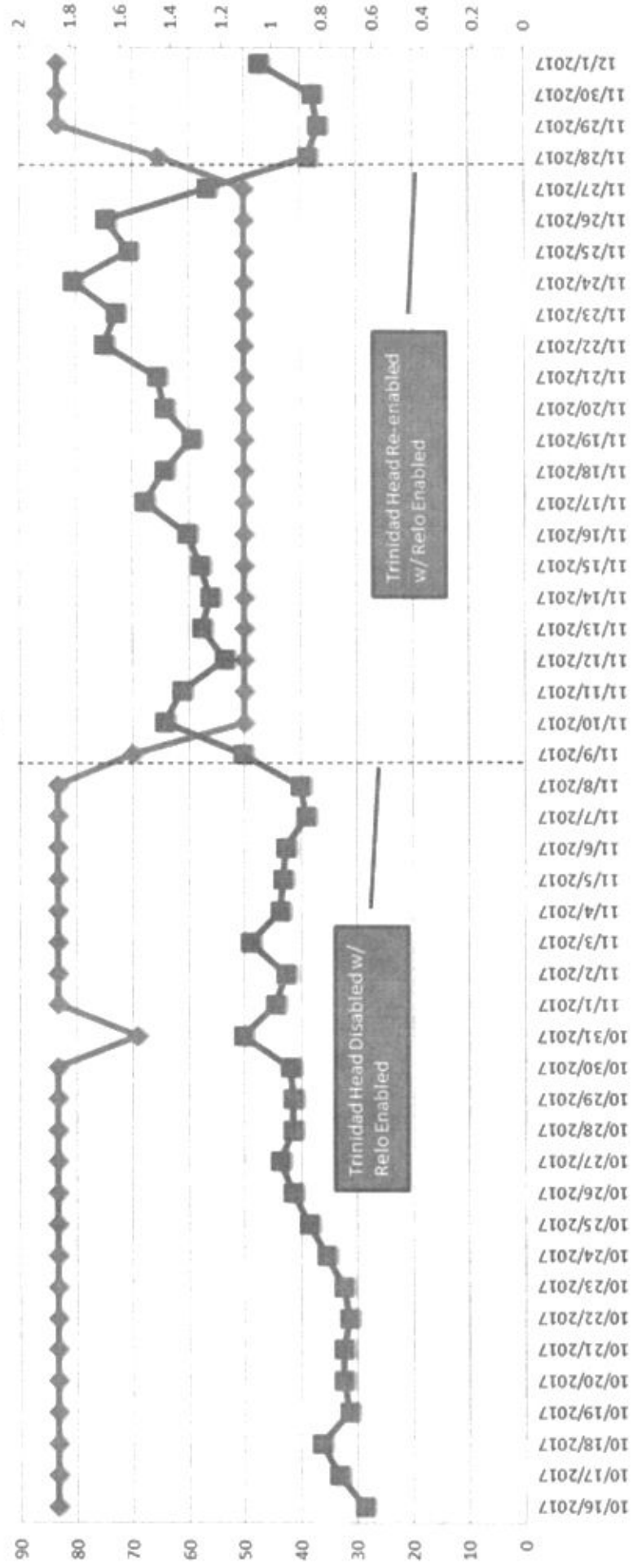


Trinidad Head Disabled

November 9, 2017 - November 28, 2017

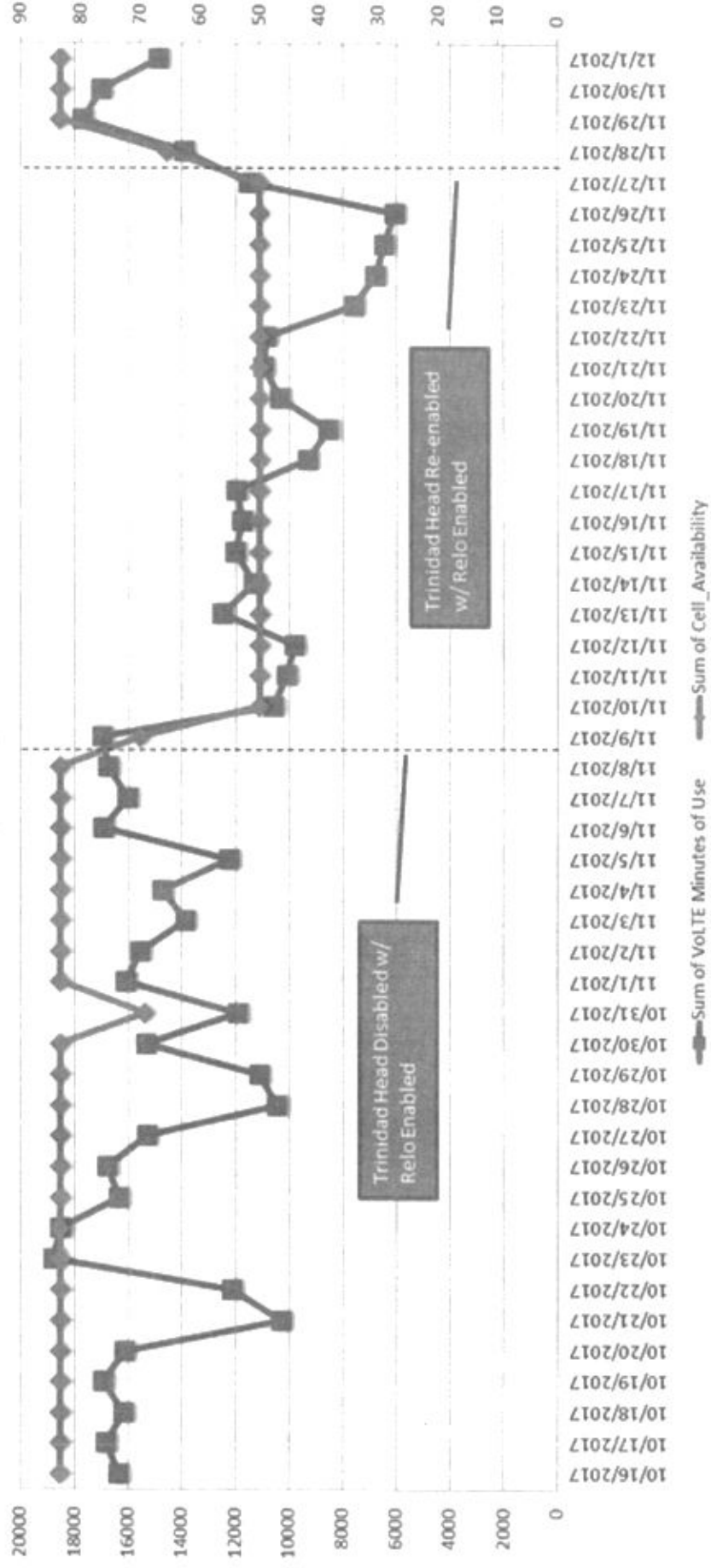
Dropped Calls

Trinidad Call Drop Rate %



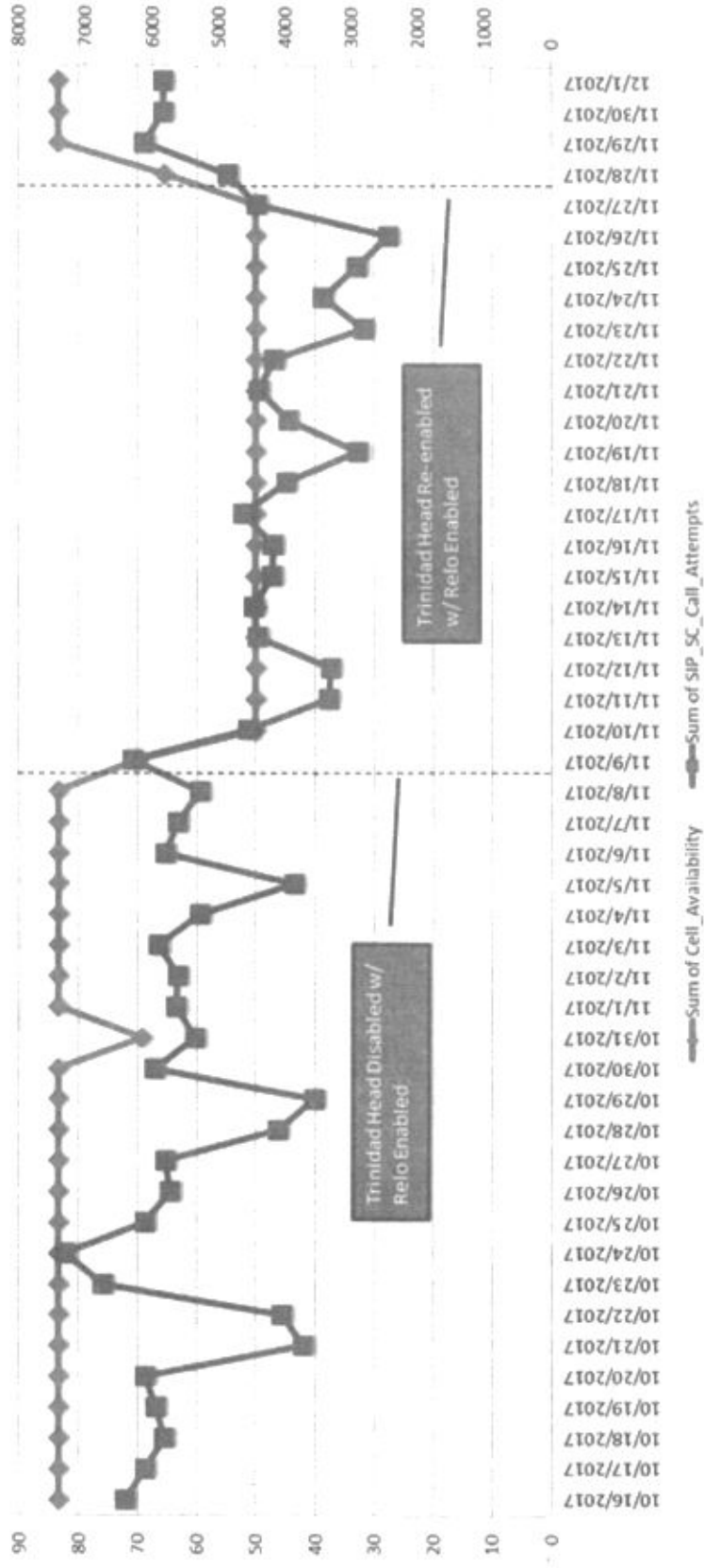
Minutes of Use

Trinidad VoLTE (Voice) Minutes of Use



Call Attempts

Trinidad VoLTE (Voice) Call Attempts





DISCUSSION AGENDA ITEM 2

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

2. Discussion regarding Community TOT Allocations

DISCUSSION AGENDA ITEM

Date: April 11, 2018

Item: Discussion of TOT Distribution to Community Groups

Summary:

The City has distributed a percentage of annual TOT revenue for community groups including the Chamber of Commerce, Museum Society, and Library in past years, and has budgeted to do so again this year.

The total Occupancy Tax revenue collected in FY 2016-2017 (not including 2% TBID) was **\$137,120**. The City authorized 10% of the total TOT allocation to be distributed to (3) recipient organizations with the approval of the 2017-2018 budget last July. The amount of \$13,712 is programmed to be distributed in the following amounts.

60%	\$8,227	Greater Trinidad Chamber of Commerce
30%	\$4,114	Trinidad Museum
10%	\$1,371	Trinidad Library

Staff are looking for discussion and direction from the Council on a few issues related to this.

Issues for discussion:

1) Requests from additional organizations.

The Trinidad Coastal Land Trust has asked if they can also benefit from these funds. Other groups have made similar requests in the past.

2) Restrictions on 'gift of public funds'.

To avoid these distributions falling afoul of the legal restrictions on gifts of public funds, it is important to document that the funds are being provided for a public purpose. The Council has reasonable discretion to establish the 'public purpose' so long as the funds are clearly going to benefit the broader public rather than to benefit private groups or individuals. Staff believe the City should improve our documentation of the public benefit of these funds.

Many Cities address this by establishing a contract with recipients that lays out the public purposes that the funds will be used for, with an annual report to document what was done.

3) Budget Considerations

The distribution of these funds is included in the current year's budget. A decision of whether to repeat this format in the coming year's budget will be made over the next few months.

4) Alternative Approaches:

Rather than using a pre-determined formula, the City could set aside a similar amount (or a different amount) and encourage qualified community groups to apply for funding for specific

public purpose projects as an annual 'mini-grant' program. The review process and resulting grant agreement would ensure the funds are directed to projects with a public purpose. The City could provide direction on specific areas it seeks to support. For instance the Chamber could request funds specifically to support and promote the Clam Beach Run and the Museum Society could request funds for promoting or developing a specific exhibit or speaker series.

Staff Recommendation:

Staff are looking for Council direction. For the current year's funds, which are already in the budget, staff's plan (pending Council discussion), is to work with each recipient on a simple letter agreement regarding the planned use of the funds. Those agreements would provide the clear documentation to support the Council's 'public benefit' determination and could return at the May meeting for approval and funding. Council direction will also assist staff in how to address this item in next year's budget.



DISCUSSION AGENDA ITEM 3

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

3. Discussion regarding Draft STR Committee Charter

DISCUSSION AGENDA ITEM

Date: April 11, 2018

Item: STR Committee Charter

Summary:

Council discussed the concept of an STR Committee at recent meetings and directed staff to prepare a draft Committee Charter to outline the duties and membership of such a Committee.

A Draft STR Committee Charter is attached for discussion and possible decision.

The exact makeup of the Committee has not been discussed in detail. Staff are proposing a five-person Committee including a Council member, a Planning Commissioner, two general public representatives, and one STR business representative, such as an STR owner or manager.

The Committee would be advisory to the City Council, staff, and Planning Commission, and would play an important role in reviewing existing policy and the implementation of that policy, generating suggestions for potential changes to the City STR Ordinance, and reviewing STR enforcement issues.

Next Steps:

If the Council approves a STR Committee Charter, staff will then solicit statements of interest from community members and the Council will select members at a future meeting.

Staff Recommendation:

Review, discuss and consider approval of the Draft STR Charter.

Attachments: Draft STR Committee Charter

DRAFT

City of Trinidad STR Committee Charter

Powers and Duties:

The primary role of the STR Committee is to advise and provide recommendations to the City Council, staff, and Planning Commission on matters relating to Short Term Rentals in the City of Trinidad.

These duties include:

- To provide a forum for community engagement, outreach, and education for issues regarding short term rentals;

- To periodically review and make recommendations regarding current City Regulations and their implementation with respect to short term rentals;

Committee Composition and Meetings:

Meetings will be held at least quarterly, publicly noticed in accordance with the Brown Act, and open to all.

The membership of the STR Committee shall be appointed by the City Council, and shall be composed of the following representatives:

- 1 City Council member (Chair)

- 1 Planning Commissioner

- 2 General Public representatives (City Residents)

- 1 STR business representative (STR Owner or Manager)

The City Manager, or his/her designee, shall serve as primary staff liaison to the STR Committee



DISCUSSION AGENDA ITEM 4

SUPPORTING DOCUMENTATION FOLLOWS WITH: 2 PAGES

4. Discussion regarding Trail Committee Vacancy Appointment

DISCUSSION AGENDA ITEM

Wednesday, April 11, 2018

Item: Discussion/Decision regarding Trail Committee Vacancy Appointment.

Background: At the regular meeting in February 2017, the Council approved a charter developed by Councilmembers Susan Rotwein and Jack West for a standing Trails Committee to include composition of the group, purpose, and goals.

At the regular meeting in May 2017, the Council approved the following membership framework:

- (1) **Susan Rotwein**, City Councilmember & Committee Chair
- (1) **Jim Cuthbertson**, Planning Commission Liaison
- (2) **Jonna Kitchen & Gail Kenny**, Resident representatives
- (1) **Frankie Myers**, Tribal Representative of the Yurok Tribe
- (1) **Shirley Laos**, Tribal Representative of the Trinidad Rancheria
- (1) **Ben Morehead**, Visitor Services Representative

They also approved the caveat that in the event two in-city residents do not apply, one can be appointed from the Greater Trinidad Area.

The Committee recently received notice from resident representative **Jonna Kitchen** that she needed to resign due to a scheduling conflict. The Council must appoint a replacement. A public notice has been posted and the deadline for letters of interest is Wednesday, April 11, at 2:00pm.

Letters of interest will be distributed to the Council prior to the meeting for review and appointment.

Recommended Action: *Appoint a replacement to fill the vacant resident seat on the Trinidad Trails Committee.*

Attachments: None